

April 9, 2015

Mr. Lloyd Jordan, Chairperson  
District of Columbia Board of Zoning Adjustment  
441 4th Street, NW  
Room 220 South  
Washington, D.C. 20001

**Re: Case 18886 – Preliminary Prehearing Comments**

Dear Mr. Chairperson,

The "Consolidated Party" – consisting, as we understand your bench ruling, of yours truly and the other the affected neighbors of the Applicant's proposed addition who timely sought party status (and perhaps MAHCA, which we will seek to have clarified by separate letter) – hereby request a postponement of the April 13 due date in this proceeding for shadow studies and findings of fact and conclusions of law. We request an extension until no earlier than May 4, 2015 – of the April 13, 2015 deadline imposed by the Board - for the filing of a) findings of fact and conclusions of law and b) the shadow studies requested by the Board at its hearing on this matter on March 31, 2015. We request a like extension of the decision date in this proceeding.

We have located and tentatively retained an architect to perform the shadow study requested by the Board but we understand that production of a study anywhere near the Board's requested due date may not be possible. In addition, we would be unable timely to file findings of fact and conclusions of law because we have not yet had access to a transcript of the hearing in this matter.

Finally, we are aware of no reason why the Applicants, who have been continuing construction throughout the pendency of this proceeding, would be prejudiced by the requested extension.

Respectfully yours,

Paul A. Cunningham

cc: ANC Commissioner Catherine May [3C08@anc.dc.gov](mailto:3C08@anc.dc.gov)

Board of Zoning Adjustment  
District of Columbia  
CASE NO.18886  
EXHIBIT NO.63

Ms. Meridith Moldenhauer, Counsel for the Applicant (by email and first class mail).

The affected neighbor parties.

Ms. Malia Brink, MAHCA Zoning Coordinator, and the MAHCA executive committee.