

**BEFORE THE BOARD OF ZONING ADJUSTMENT
FOR THE DISTRICT OF COLUMBIA**

In Re Application Of: :
: **BZA Case Number 19450**
D.C. Department of General Services : **Presiding Officer: Frederick L. Hill**
Ward 3 Homeless Shelter Project : **Chairperson**
3320 Idaho Avenue, NW :

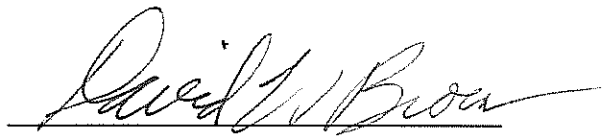
**REPLY ON REQUEST OF NEIGHBORS FOR RESPONSIVE GOVERNMENT
FOR EXTENSION OF TIME TO FILE
PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Neighbors for Responsive Government (“NRG”) wishes to briefly respond to the Applicant’s Opposition to NRG’s request for an extension of time for the filing of the proposed findings of fact and conclusions of law in this case. The Applicant’s Opposition is premised on the notion that NRG should be limited to the statutory minimum of seven (7) days to review a transcript that will likely run to hundreds of pages. In this case, however, given its exceptional length and complexity, the seven-day minimum is insufficient for the preparation of adequate proposed findings and conclusions, despite the availability of the video recording.

At the time of this filing, the hearing transcript is still not accessible. But even if it were filed later today, or later this week, the Applicant’s proposed schedule contemplates either (a) delivery of the parties’ proposed findings and conclusions on or shortly before the date the Board has set for a decision in this case, or (b) dispensing with proposed findings and conclusions altogether. Either alternative appears predicated on the inappropriate expectation that the Board does not need time to consider the competing claims of the parties because approval of the Application is “legislatively required.” In any case, the Board should reject any such contraction of its orderly decisional process, especially in this case.

Finally, the Applicant cites as prejudice a two-week delay in its “delivery schedule” for this project. But the delay is prejudicial, if at all, only on the unjustified assumption that the Applicant will prevail in all respects before the Board. Even if that assumption were justified, the Applicant has not explained how or why existing planning and preparatory work cannot go forward in the interim, as it has for months before now.

Respectfully submitted,



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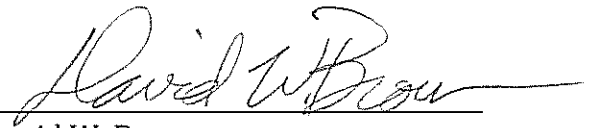
Neighbors for Responsive Government

March 13, 2017

CERTIFICATE OF SERVICE

The Neighbors for Responsive Government, by and through the undersigned counsel, on March 13, 2017, served the foregoing Reply on Request for Extension of Time to File Findings of Fact and Conclusions of Law by email on the attorney for the applicant, Meridith Moldenhauer, Esq., Griffin, Murphy, Moldenhauer & Wiggins, LLP, 1912 Sunderland Place, NW, Washington, DC 20036 MMoldenhauer@washlaw.com and ABigley@washlaw.com ; the DC Office of Planning, Maxine.brownroberts@dc.gov; D.C. Dept. of Transportation, evelyn.israel@dc.gov; the local ANC, Advisory Neighborhood Commission 3C, Nancy MacWood, Planning and Zoning Committee Chairperson, nmacwood@gmail.com and 3c@anc.dc.gov; and Angela Bradbery, Single Member District 3C06, 3C06@anc.dc.gov.

Respectfully submitted,


David W. Brown