

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT
441 4th Street, N.W.
Washington, D.C. 20001

Appeal of Berkley Smallwood

BZA Appeal No. 19708

**D.C. DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS’ MOTION TO
CONTINUE HEARING TO JULY 11, 2018**

The D.C. Department of Consumer and Regulatory Affairs (DCRA) respectfully submits this motion to continue the May 2, 2018 hearing to July 11, 2018 (or later, at the Board of Zoning Adjustment’s (the Board) convenience) for the following reasons:

On November 28, 2017, the Zoning Administrator (ZA) requested the Appellant to obtain revised Certificate of Occupancy with the specific language therein. The appeal of this request followed on January 8, 2018. Currently, the hearing in this appeal is scheduled for May 2, 2018.

DCRA respectfully requests to continue the May 2, 2018 hearing to July 11, 2018 on the basis that DCRA’s attorney of record in this appeal, Maximilian Tondro, left the Agency on April 13, 2018. The newly appointed undersigned attorney requests more time to adequately review the file and prepare an adequate defense for the hearing. In addition, Zoning Administrator, Matthew LeGrant, was at a conference for the past week and thereby unavailable for consultations with the newly appointed attorney.

DCRA’s requested consent from the Appellant to a continuance to July 11, 2018. However, DCRA has not received a response from Appellant prior to this filing.

For the foregoing reasons, the Agency respectfully requests that this Board grant DCRA’s Motion To Continue Hearing To July 11, 2018 (or later at the Board’s convenience).

Respectfully submitted,
ESTHER YONG MCGRAW
Interim General Counsel
Department of Consumer and Regulatory Affairs

Date: 4/30/2018

/s/ Adrienne Lord-Sorensen
ADRIANNE LORD-SORENSEN (DC Bar # 493865)

Assistant General Counsel
Department of Consumer and Regulatory Affairs
Office of the General Counsel
1100 4th Street, S.W., 5th Floor
Washington, D.C. 20024
(202) 442-8401 (office)
(202) 442-9447 (fax)

CERTIFICATE OF SERVICE

I certify that on this 30th day of April 2018 a copy of the foregoing DCRA’s Motion to Continue Hearing to July 11, 2018 was served via electronic mail to:

Christopher L. Grant
1250 Connecticut Avenue, N.W., Ste. 200
Washington, D.C. 20036
lawgrant@mindspring.com
Counsel for Appellant

Kent C. Boese, Chair
Advisory Neighborhood Commission 1A
and
Single Member Advisory Neighborhood
Commissioner, ANC 1A08
608 Rock Creek Church Road, N.W.
Washington, D.C. 20010
1A08@anc.dc.gov

/s/ Adrienne Lord-Sorensen
Adrienne Lord-Sorensen

Kaprelova, Anna P. (DCRA)

From: Kaprelova, Anna P. (DCRA)
Sent: Monday, April 30, 2018 3:00 PM
To: 'lawgrant@mindspring.com'
Cc: Lord-Sorensen, Adrienne (DCRA); McGraw, Esther (DCRA)
Subject: RE: BZA Appeal No. 19708

Mr. Grant,

As you may know, DCRA's attorney of record in this appeal, Maximilian Tondro, resigned from DCRA and a new attorney was appointed to represent DCRA in this appeal.

In light of this, DCRA needs additional time to prepare for the hearing, which is currently scheduled for May 2, 2018. In addition, Zoning Administrator was out of the office for the whole past week and not available to consult with the newly appointed attorney.

Please advise as to whether you consent to a requested continuance until May 30, 2018 or, alternatively, July 11, 2018.

Respectfully,

Anna P. Kaprelova | Adviser to OCI

Office of Civil Infractions

Detailed to Office of General Counsel

Department of Consumer and Regulatory Affairs

Admitted to practice in Maryland

Practicing in the District of Columbia pursuant to D.C. Court of Appeals Rule 49(c)(4)

anna.kaprelova@dc.gov | 1100 4th St SW, DC 20024

desk: 202.899.3597 | dcra.dc.gov

