ANC 3F Forest Hills/North Cleveland Park
Phil Kogan, SMD 3F01
Karen Perry, SMD 3F02
Robert Maudlin, SMD 3F03
David Bardin, SMD 3F04
Doug Mitchell, SMD 3F05
Cathy Wiss, SMD 3F06
Lyn Oglesby, SMD 3F07

RECEIVED
D.C. OFFICE OF ZONING
2001 FEB -7 PM 3:59

February 5, 2001

Robert Sockwell
Board of Zoning Adjustment
for the District of Columbia
441 4th Street NW
Suite 210-S
Washington, DC 20001

Re: Application No. 16611, Request for Zoning Relief for Use as a Private School

Dear Chair Sockwell:

At a January 23, 2001, hearing on the subject application the Board, the applicant and ANC 3F agreed to a continuance request from the Office of Planning (OP). The purpose of the continuance was to provide additional time for the Department of Public Works to complete its report to OP. Given the importance of traffic issues raised by this application ANC 3F agreed that it was necessary to continue the case. The Board set a continuance date of April 10, 2001.

On January 25, 2001, I was notified that the neighborhood's traffic consultant Joe Mehra will be out of the country until April 20 and will not, therefore, be available to testify at an April 10 hearing on behalf of the Upton/Van Ness Neighbors. I have also learned that Messrs. Thomas, Raymond, and James Brown, who own the building at 4107 Connecticut Avenue and have requested party status in this case will be out of the country until April 30, 2000. On January 25 Cynthia Giordano, who is representing the Browns, and I phoned Sherry Pruitt to discuss a schedule change for the continuance. Cynthia reminded Sherry that the continuance had been requested by OP and that the neighborhood had been prepared to respond to the applicant's request for zoning relief at the January 23 hearing. We also emphasized that it was important for all interested parties to be able to participate in a rescheduled hearing. Sherry suggested May 8 as an open date on the Board's calendar and also believed that May 15 and May 22 might be available as alternatives for rescheduling the continued hearing. Sherry asked that the schedule change be coordinated with the applicant. That same day, January 25, I telephoned the applicant's attorney Mr. Phil Feola and left a voice mail message. Mr. Feola has not returned my call. On January 26 I called Mr. Feola's associate Ms. Sarah Shaw and provided her the substantive details of the rescheduling discussion with Sherry Pruitt. Ms. Shaw assured me that she would communicate the information about conflicts and schedule changes to Mr. Feola and get back to me. The conversation with Ms. Shaw occurred ten days ago. I have heard from neither Mr. Feola nor Ms. Shaw on the scheduling matter since that time.

BZA
Case No. 16611
Exhibit No. 115

P.O. Box 39290 Washington, D.C. 20016-9290
362-6120 (voice)
686-7237 (fax)

Board of Zoning Adjustment
District of Columbia
CASE NO.16611
EXHIBIT NO.115

In a conversation earlier today, Ms. Pruitt suggested that May 15 is a desirable date for rescheduling the continuance since the full day is available and likely will be needed. On May 8 a half day is available and the Phillips Gallery has indicated a preference for the May 22 hearing date.

ANC 3F is interested in working with all parties to obtain a mutually acceptable resolution of the issues raised in the subject case. However, we firmly believe that a hearing on this case must be conducted at a time when all parties have the opportunity to present their views. Our neighbors were prepared to do this on January 23. We look forward to working with the Board and the applicant to find a mutually agreeable date after April 30, 2001 to schedule such a hearing.

Sincerely,

Phil Kogan
Vice Chair

cc: Phil Feola, Shaw Pittman
Cynthia Giordano, Arnold and Porter