GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Appeal of Michael Sussman/ Georgetown Flea Market	)	
	)	Appeal No. 16642
	)	
	)	
Appellant	)	

D.C. BOARD OF ZONING
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DISTRICT OF COLUMBIA'S MOTION FOR CONTINUANCE

Comes now the District of Columbia (hereinafter "the District") through undersigned counsel pursuant to 11 DCMR § 3106.1 (1996) and requests a continuance of the contested case hearing presently set for June 5, 2001 at 1:00 p.m., based upon the need for additional time to review the assertions made by the appellant in his Brief. The Office of the Corporation Counsel, Civil Division, received a request to represent the Zoning Administrator in this instant matter on May 25, 2001. The appellant had filed his brief in support of his position with the Board of Zoning Adjustment on May 22, 2001.

The appellant has requested a reversal of the Zoning Administrator's decision to deny him a certificate of occupancy and require him to obtain a variance to sell antiques and collectibles on Sundays only in the parking area of the Hardy School. The Brief contains a number of issues of first impression. During the pendency of this appeal the Zoning Administrator has agreed to take no further enforcement action and to allow the appellant to continue to operate his flea market while his appeal is pending.

Counsel for the appellant stated he would not object to a continuance of this matter. A short continuance will not prejudice the appellant in this case. Therefore, the District respectfully requests that this instant appeal be continued until the next available date.

BZA
Case No. 16642
Exhibit No. 56

Board of Zoning Adjustment
District of Columbia
CASE NO.16642
EXHIBIT NO.56

Respectfully submitted,

ROBERT R. RIGSBY
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Certificate of Service

I hereby certify that the foregoing District of Columbia's Motion for Continuance and proposed Order was mailed by first class mail, postage prepaid on this 15th day of June, 2001 and sent by facsimile to Counsel for the Appellant, Norman M. Glasgow, Jr., Holland & Knight, LLP, 2099 Pennsylvania Avenue NW, Suite 100, Washington, D.C. 20006-6801.

Arthur Parker
Assistant Corporation Counsel

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ORDER

Upon consideration of the District of Columbia's unopposed Motion for Continuance, and the record herein, it is by the Board of Zoning Adjustment this _____ day of June, 2001,

ORDERED: That the District of Columbia's Motion for Continuance be, and the same is hereby, GRANTED; and it is

FURTHER ORDERED: That the Hearing scheduled for Tuesday, June 5, 2001 at 1:00 p.m. be continued to _____.

_____
Board of Zoning Adjustment
Chairperson

cc:
Arthur Parker
Assistant Corporation Counsel
Civil Division
441 4th Street NW, Suite 450N
Washington, D.C. 20001

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