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July 27, 2001

Shelia Cross Reid, Chairperson
Board of Zoning Adjustment
441 4th Street, N.W., 2nd Floor
Washington, D.C. 20001

Re: Motion for Stay of Decision, BZA Appeal No. 16701

Dear Chairperson Reid and Members of the Board:

The George Washington University ("University"), the Intervenor in the above captioned matter, hereby moves the Board of Zoning Adjustment ("BZA"), pursuant to 11 DCMR §3126.9, to stay its decision granting, in part, BZA Appeal No. 16701 until such time as the Board considers and reaches a decision regarding the University's Motion for Reconsideration and to Reopen the Record.

On July 12, 2001, BZA Order No. 16701 was issued. On July 20, 2001, the University filed a Motion for Reconsideration and to Reopen the Record in BZA Appeal No. 16701. Currently, construction on the subject project, located at 1957 E Street, N.W., is continuing pursuant to Building Permit No. 434036. The University is confident that once the Board reconsiders its decision and reviews the evidence, it will reverse its decision and deny the appeal. However, in the meantime, if BZA Order No. 16701 is not stayed and the Department of Consumer and Regulatory Affairs issues a stop work order, the harm to the University will be astronomical. If work is halted on the subject project, it will cost the University approximately $12 million in total costs. Further, the University, by necessity, will have to develop a new structural system to keep 19th Street, N.W. stable because the existing tie back arrangement is not sufficient to "hold" the street for an extended period of time. The damage to the University will be irrevocable.

Thus, given the potential for extreme harm, the University respectfully requests that BZA Order No. 16701 be stayed until the Board has had an opportunity for a full reconsideration of its decision including a full examination of additional evidence submitted to the record.

BZA
Case No. 16701
Exhibit No. 61

Board of Zoning Adjustment
District of Columbia
CASE NO.16701
EXHIBIT NO.61

Respectfully submitted,

Phil T. Feola

Sarah E. Shaw

cc: David Clark, Director, DCRA
Karen Edwards, General Counsel, DCRA

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CERTIFICATE OF SERVICE

I hereby certify that, on July 27, 2001, a copy of the foregoing Motion for Stay of Decision, BZA Appeal No. 16701 was served by hand delivery to:

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