BEFORE THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

CASE NO. 17043

APPEAL OF STANTON PARK NEIGHBORHOOD ASSOCIATION

VS.

D.C. DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS

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MOTION FOR CONTINUANCE OF HEARING DATE

Comes now Respondent, through counsel, and respectfully requests that this Board continue the hearing date that is scheduled for July 29, 2003 and states for reasons as follows:

1) The undersigned counsel has been assigned to represent the Respondent, Department of Consumer and Regulatory Affairs, in above-captioned case. Counsel was assigned to this matter because counsel was involved, together with the Office of the Corporation Counsel, in the legal research and analysis which informed the Department's decision that issuance of a Certificate of Occupancy should not be subject to the conditions in the prior orders issued by the BZA.

2) The undersigned counsel has had vacation plans for the week of July 26, 2003 through August 2, 2003, including hotel reservations, since May 25, 2003. Therefore, counsel will be out of town and is not available to represent the Department in this matter on July 29, 2003.

3) Due to the fact that counsel is familiar with the issues in this case and other attorneys in the office may also be on vacation on July 29, 2003, the hearing in the case should be continued.

BZA
Case No. 17043
Exhibit No. 26

Board of Zoning Adjustment
District of Columbia
CASE NO. 17043
EXHIBIT NO. 26

4) Counsel for Respondent has consulted with Counsel for the property owner who is agreeable to a continuance in this case. Counsel for Respondent also advised Mr. Monte Edwards, representative of the Stanton Park Neighborhood Association, of Petitioner's intention to request a continuance, and Mr. Edwards has consented to a continuance to early September 2003.

WHEREFORE, Respondent respectfully requests that the hearing in this matter be continued to the first available hearing date in early September 2003.

Respectfully submitted,

Laura Gisolfi Gilbert, Esq. #203000
Attorney for Respondent
DC Department of Consumer and
Regulatory Affairs
941 N. Capitol Street, N.E. Suite 9400
Washington, D.C. 20002
(202) 442-8199

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was mailed to the Petitioner, Stanton Park Neighborhood Association, c/o Mr. Monte Edwards, 330 E Street, NE, Washington, D.C. 20002 and to Mr. Paul Tummonds, counsel for the property owner, at Shaw Pittman, 2300 N Street, N.W., Washington, D.C. 20037, on this 18th day of July 2003. A copy has also been sent by e-mail to Mr. Drury Tallant, co-chair of the SPNA Land Use Committee and to Mr. Paul Tummonds.

Laura Gisolfi Gilbert