ADVISORY NEIGHBORHOOD 3/4G'S
CONSENT MOTION FOR A CONTINUANCE
IN BOARD OF ZONING ADJUSTMENT CASE 18057

Background

On February 18, 2010, ANC 3/4G ["ANC"] appealed a decision of the DCRA, as issued by Zoning Administrator Matthew LeGrant, dated Dec. 24, 2009, denying a request for enforcement of BZA Order #17055.

The request originated from a dispute between the Property Owner, Army Distaff Foundation, operator of the Knollwood retirement home ["Knollwood""] at 6200 Oregon Avenue, NW, and a group of neighbors living on the periphery of Knollwood in an R-1-A neighborhood. Knollwood had been granted a special exception in Order #17055 to build an addition to the existing building.

The neighbors, organized as a DC non-profit corporation, Knollwood Neighbors, Inc. ["KN"], contend that Knollwood has not complied with a condition in Order #17055 pertaining to noise control from a rooftop chiller on the addition.

Currently, the Knollwood and KN are negotiating to resolve the dispute. The two parties are working with an acoustic engineer originally selected by KN to examine various noise mitigation options. In light of these negotiations, KN has requested that the ANC vote to present a consent motion for a continuance of the hearing scheduled for May 11, 2010, to October 19, 2010.

The ANC has been informed by Captain Craig Sackett, Knollwood Administrator that Knollwood does not oppose this motion. The ANC has also been informed by Jay A. Surabian, counsel for the Department of Consumer and Regulatory Affairs, that DCRA does not oppose the motion.

ANC Vote

Ce-1

At a public meeting, advertised and scheduled for May 10, 2010, the ANC voted ~~X-X~~ to present the consent motion for a continuance to the BZA and designated Robert A. Diamond, a KN member (and former ANC Chair), residing at 6251 – 29th St., NW, to represent the ANC at the May 11, 2010 hearing for the narrow purpose of requesting the continuance.

Consent Motion for a Continuance

Advisory Neighborhood Commission 3/4G hereby requests that the Board of Zoning Adjustment grant a continuance in case #18057 from May 11, 2010, to October 19, 2010.

Gary Thompson, Chairman, ANC 3/4 G

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17055
EXHIBIT NO. 165

2010 MAY 3 AM 11:08

Board of Zoning Adjustment
District of Columbia
CASE NO. 17055
EXHIBIT NO. 165

Gary

Chevy Chase ANC

From: "robert diamond" <robertdiamond33@gmail.com>
To: "Thompson, Gary S." <gthompson@reedsmith.com>; "Chevy Chase ANC" <chevychaseanc3@verizon.net>
Sent: Monday, May 10, 2010 6:33 PM
Subject: Consent Motion for Continuance

Gary,

Below is the email you received from Craig. Sending to you so that you can attach it to the motion you will be sending to BZA tomorrow am.

In that draft motion I've sent you, please insert after the sentence saying Knollwood does not oppose. ("Attached")

Thanks,

Bob

---------- Forwarded message ----------
From: "Craig Sackett" <csackett@armydistaff.org>
To: "Thompson, Gary S." <gthompson@reedsmith.com>
Date: Thu, 29 Apr 2010 07:17:33 -0400
Subject: RE: Consent Motion for Continuance
Good Morning Gary: Since we are not a party to the appeal, we do not feel that we have a direct input into the request for the continuance, but we do not have any objections to the neighbors requesting a continuance. Craig