

**BEFORE THE BOARD OF ZONING ADJUSTMENT
FOR THE DISTRICT OF COLUMBIA**

Appeal of Kalorama Citizens Association from)
The Decision of DCRA Issuing Building Permits)
B455571 & B455876 Notwithstanding Non-)
Compliance of Plans with FAR, Height, and Setback) BZA No. 17109
Requirements with respect to 5-story Apartment in R-5-D)
Zone at 1819 Belmont Road, N.W. (Square 251, Lot 45).)
_____)

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**ANSWER OF ADVISORY NEIGHBORHOOD COMMISSION 1C
IN SUPPORT OF KALORAMA CITIZENS ASSOCIATION
MOTION FOR PARTIAL REHEARING AND RECONSIDERATION**

Pursuant to 11 DCMR § 3126.5, Advisory Neighborhood Commission 1C (ANC 1C) files this answer in support of Appellant Kalorama Citizens Association's (KCA) motion filed November 18, 2005 for partial rehearing and reconsideration of the Board of Zoning Adjustment's (Board) Order dated November 8, 2005 in the above-captioned case.

ANC 1C supports and adopts the arguments made by KCA in its motion. KCA has described new evidence pertaining to the two issues it has raised, thereby qualifying those two issues for rehearing under section 3126.6 of the Zoning Regulations. Even in the absence of that evidence, reconsideration would be appropriate based on KCA's arguments demonstrating that the Order in those two respects was legally erroneous.

No negative inference should be drawn by the Board from the fact that unlike other pleadings in this case, the KCA's motion was not submitted jointly with ANC 1C. ANC 1C's failure to join in the motion was simply a function of logistics. Due to conflicting work obligations, neither the undersigned Chairperson of the ANC nor the Commissioner for the Single Member District in which the subject property was available on Friday, November 18,

**BOARD OF ZONING ADJUSTMENT
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Board of Zoning Adjustment
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2005 to sign the motion in time for the required filing deadline of 3 p.m. on that date. In all substantive respects, ANC 1C fully supports the requests for relief sought by KCA in the motion.

Respectfully submitted,

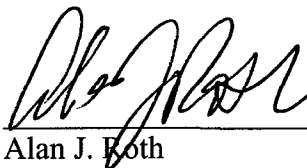


Alan J. Roth, Chairperson
Advisory Neighborhood Commission 1C
P.O. Box 21009
Washington, DC 20009
(202) 347-3030

Date: November 21, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer Of Advisory Neighborhood Commission 1C in Support of Kalorama Citizens Association Motion For Partial Rehearing And Reconsideration was sent by first-class mail, postage prepaid, to Ann Hughes Hargrove, Zoning Chair, Kalorama Citizens Association, 1827 Belmont Road, NW, Washington, DC 20009; to Julie Lee, Esquire, General Counsel, Department of Consumer and Regulatory Affairs, 941 North Capitol Street, NE, Suite 9400, Washington, DC 20002; and to Mary Carolyn Brown, Esquire, Holland & Knight, 2099 Pennsylvania Avenue, NW, Suite 100, Washington, DC 20006, on this 21st day of November, 2005.



Alan J. Roth