BOARD OF ZONING ADJUSTMENT
FOR THE DISTRICT OF COLUMBIA

Appeal of Decision by DCRA to issue certificates of occupancy to Father Flanagan's Boy's Home construct single family dwellings at 1308, 1310, 1312 and 1314 Potomac Ave., S.E. (Square 1045, Lots 134, 136, 137, 138)	) No. 17121

MOTION TO POSTPONE HEARING

Appellant Southeast Citizens for Smart Development, Inc. ("SCSD") and Advisory Neighborhood Commission ("ANC") 6B hereby request that the hearing on the above-captioned appeal, presently set for September 14, be postponed for 60 days. Postponement is warranted because subsequent events due to occur by the end of October 2004 may make this appeal moot.

This appeal was timely filed by SCSD and ANC 6B on December 12, 2003, challenging the decision by David Clark, Administrator of the D.C. Department of Consumer and Regulatory Affairs ("DCRA"), made on behalf of the Zoning Administrator, that a 24-person community based residential facility ("CBRF") to be operated by Father Flanagan's Boy's and Girls Town ("Boys Town") at 1308, 1310, 1312, and 1314 Potomac Ave., S.E. was entitled to a certificate of occupancy as a matter-of-right pursuant to the provisions of 11 DCMR § 330.5(i). A hearing on the appeal was set for March 9, 2004.

On March 9, 2004, this Board agreed to postpone the hearing, at the request of SCSD and ANC 6B, based on newspaper reports indicating that Boys Town was in negotiations with JPI Apartment Development LP, a Dallas-based developer, for the sale of the proposed CBRF site. This request for postpone was not opposed by either Boys Town or DCRA.

Since that time, JPI entered into a contract with Boys Town to purchase the land,

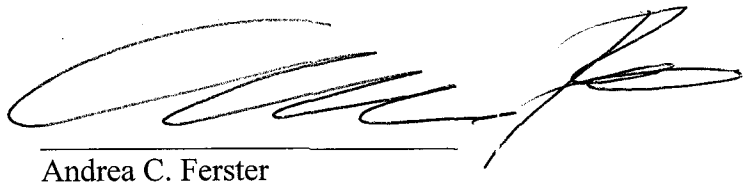
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contingent on further feasibility assessments and discussions with the community. JPI has met with community leaders and has held a community meeting to discuss the development proposal, which consists of 280 rental units and some ground floor retail space on the site. The development proposal was very favorably received by the community. On information and belief, the purchase of the property will close in October 2004.

In light of the foregoing developments, SCSD hereby requests a 60–day postponement of the scheduled September 14, 2004 hearing on its appeal. If JPI closes on the sale of the property as planned, this zoning appeal, which challenges Boys Town's proposed use of the facility as a matter-of-right CBRF, will be moot. Accordingly, a 60-day postponement of the hearing will avoid the unnecessary expenditure of time and resources by this Board and the parties in holding a contested case hearing on this appeal, which will be rendered moot if the sale of the property is completed, as expected, in October 2004.

Respectfully submitted,



Andrea C. Ferster
1100 17th Street, N.W. 10th Fl.
Washington, D.C. 20036
(202) 974-5142

July 26, 2004

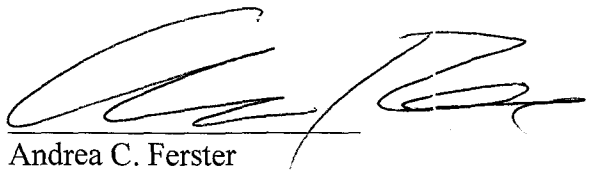
CERTIFICATE OF SERVICE

I hereby certify that, on July 26, 2004, a copy of the foregoing Motion to Postpone Hearing was served by first-class mail, postage pre-paid, on:

Julie Olson, Chair
ANC 6B
921 Pennsylvania Ave., S.E.
Washington, D.C. 20003

Arthur Parker
Assistant D.C. Corporation Counsel
441 4th Street, N.W. Room 600 South
Washington, D.C. 20001

Phil Feola
ShawPittman
2300 N Street, N.W.
Washington, D.C. 20037-1128



Andrea C. Ferster