BEFORE THE BOARD OF ZONING ADJUSTMENT
FOR THE DISTRICT OF COLUMBIA

APPLICATION OF MONTROSE, LLC	)	
PURSUANT TO 11 DCMR § 3104.1 FOR A SPECIAL	)	
EXCEPTION FROM THE ROOF STRUCTURE	)	BZA CASE NO. 17221
SET-BACK PROVISIONS UNDER §§ 411.11 AND	)	ANC 1C
400.7(b), FOR AN EXISTING FIVE-STORY	)	
RESIDENTIAL CONDOMINIUM IN THE R-5-D	)	HEARING: SEPTEMBER 20, 2005
DISTRICT AT 1819 BELMONT RD., NW	)	
(SQUARE 2551, LOT 45)	)	

APPLICANT'S MOTION TO CONTINUE HEARING

Montrose, LLC, (the "Applicant") hereby requests the Board of Zoning Adjustment ("Board" or "BZA") to continue its hearing in the above-referenced matter pending issuance of the order in BZA Appeal No. 17109. The order in BZA Appeal No. 17109 is expected to obviate the need for the special exception relief requested in the instant application. When the order is issued, the Applicant intends to withdraw this special exception application. Thus, in the interest of judicial economy, the Applicant requests the Board to postpone indefinitely the hearing scheduled in this matter. In support of this motion, the Applicant states as follows:

At its February 1, 2005, meeting, the Board voted to deny BZA Appeal No. 17109 with respect to roof structure setbacks. Based on the transcript of the meeting, the Board determined that party walls were not exterior walls for purposes of roof structure setbacks and that the penthouse at 1819 Belmont Road, N.W., did not violate the Zoning Regulations or the Height of Buildings Act of 1910. *See* BZA Transcript, BZA Appeal No. 17109, February 1, 2005. However, prior to that decision, the Applicant had filed the instant application for special exception from the roof structure setback requirements, in the event the Board's final decision held that the roof structure was not in compliance with the regulations. Given the oral discussions and vote of the

BZA
Case No. 17221
Exhibit No. 51

Board of Zoning Adjustment
District of Columbia
CASE NO. 17221
EXHIBIT NO. 51

Board, however, special exception relief is no longer necessary. Yet the Applicant cannot rely on the oral vote until issuance and publication of a written order, and thus the Applicant is not in a position to withdraw its special exception application until that time.

The Applicant understands that issuance of the order is imminent. For that reason, the Applicant delayed filing this motion to postpone in the hope that it would be filing a motion to withdraw the application instead. The Applicant looks forward to the expeditious issuance of the order in BZA Appeal No. 17109 so it may withdraw this special exception case as soon as possible.

Wherefore, for the foregoing reasons, and in the interest of judicial economy, the Applicant respectfully requests the Board to postpone indefinitely the hearing scheduled on this matter.

Respectfully submitted,

HOLLAND & KNIGHT LLP

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September 19, 2005

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Brief of Interventor Montrose LLC was served this 19th day of September, 2005, by hand-delivery, or first-class mail postage prepaid, on the following:

Alan J. Roth
Chair, Advisory Neighborhood Commission 1C
1845 Vernon Street, N.W.
Washington, D.C. 20009

Kalorama Citizens Association
c/o Anne Hughes Hargrove
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