BEFORE THE BOARD OF ZONING ADJUSTMENT OF D.C.
APPLICATION NUMBER 17276 (PHILLIPS PARK, LLC)

FRIENDS OF WHITEHAVEN RESPONSE TO APPLICANT'S MOTION TO STRIKE

The Friends of Whitehaven oppose the applicant's motion to strike Friends' timely, relevant and appropriate March 28, 2005 submission to this body. The Friends reject applicant's characterization of "new evidence." Most notably, the Friends point out that its reasonable condition on preventing adverse impact on water supply, water pollution, and soil erosion, as well as requesting the consideration of all applicable District and federal agencies' views, is no different in style or substance (*i.e.*, based upon evidence clearly before the BZA on March 8) than the numerous conditions filed by the applicant. The parties copied on this Response have all been lawfully served.

Dated: March 31, 2005

Respectfully submitted,

William J. Snape, III
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cc: Richard Nettler, on behalf of the applicant
(rbnettler@rkmc.com)
Alma Gates, on behalf of ANC 3D
(AHG71139@aol.com)
Chandra Hardy, on behalf of herself
(cshardy@starpower.net)
Maggie Brady, on behalf of Certain Residents of W Street
(MaggieB48@aol.com)
Joel Lawson, on behalf of the D.C. Office of Planning
(joel.lawson@dc.gov)
Kent Slowinski, on behalf of Friends of Whitehaven
(wksla@aol.com)

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Board of Zoning Adjustment
District of Columbia
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