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June 6, 2005

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HAND-DELIVERED

Geoffrey Griffis, Chairman
District of Columbia Board of Zoning Adjustment
441 Fourth Street, N.W. - Room 210 South
Washington, D.C. 20001

Re: Board of Zoning Adjustment Application No. 17327 - 1812 35th Street, N.W. - Special Exception Under Section 223 of the Zoning Regulations

Dear Mr. Griffis:

This firm represents 1812 35th Street Associates, LLC, the applicant in the above-referenced special exception application (the "Applicant"). This application is scheduled for public hearing at 1:00 p.m. on Tuesday, June 7, 2005.

Pursuant to § 3117.3(h) of Rules of Practice and Procedure before the Board of Zoning Adjustment (the "Board"), the Applicant hereby requests that the Board grant a continuance of not less than sixty (60) days in order to permit the Applicant to study and evaluate possible changes to the building plans which have been suggested by the Office of Planning and by counsel for Mrs. Diedre O. Stancioff, the neighbor residing at 1814 35th Street, N.W., immediately to the north of the subject property.

The Applicant retained the undesigned counsel on June 1, 2005, and I duly entered my appearance as the Applicant's authorized agent on June 2, 2005. On June 3, 2005, I began a conversation with Mrs. Stancioff's counsel in an effort to respond to some of the opposing neighbor's concerns about the building on the subject property. Her concerns are echoed by the opinions contained in the Office of Planning Report, dated May 31, 2005. While we can offer no assurance that the Applicant can respond to the proposed alterations in the "as built" building, the Applicant needs additional time to undertake an engineering and cost evaluation of the proposals made by Mrs. Stancioff and OP.

BZA
Case No. 17327
Exhibit No. 36

Board of Zoning Adjustment
District of Columbia
CASE NO. 17327
EXHIBIT NO. 36

The Applicant is aware that an appeal of the Zoning Administrator's decision to issue a building permit for the subject property is pending before the Board as Appeal No. 17310 and scheduled for public hearing on September 20, 2005. There is a possibility that the Applicant's resolution of these objections in the instant may moot the issues on appeal. In such event, the granting of a continuance to the Applicant would be an efficient way of disposing of the Board's responsibilities in the two parallel proceedings affecting the subject property.

Accordingly, the Applicant requests a continuance of the public hearing for not less than sixty (60) days, which would permit resolution of the instant case without jeopardizing the hearing scheduled for Appeal No. 17310.

Respectfully submitted,

George R. Keys, Jr.
Counsel for the Applicant

cc: Andres Dan
Laurie B. Hurvitz, Esq. (via facsimile)
Advisory Neighborhood Commission 2E (via facsimile)
D.C. Office of Planning (via facsimile)