

May 31, 2019

VIA IZIS AND HAND DELIVERY

D.C. Board of Zoning Adjustment
441 4th Street, N.W.
Suite 200-S
Washington, D.C. 20001

Re: **BZA Case No. 19896 – Appeal of Building Permit B1800516 for 1731 Kalorama Road NW (Square 2563, Lot 98) (the “Property”) – Property Owner’s Reiteration of Motion to Dismiss**

Dear Members of the Board:

1731 Kalorama Rd NW LLC, the owner of the Property (the “**Owner**”), respectfully requests the Board dismiss Appeal 19896 due to Adams Morgan Friends & Allies’ (the “**Appellant**”) failure to file the additional information requested by the Board. At its public hearing on May 22, 2019, the Board noted the Owner’s Motion to Dismiss for Appellant’s (1) lack of standing, or, in the alternative, (2) failure to state a claim. The Board instructed the Appellant to file additional materials addressing both the standing and failure to state a claim issues in the case. The Board made it clear both at the hearing and in the Memo in the record at Exhibit 27 that the deadline for Appellant’s filing was 11:59 pm on May 29th.

Appellant failed to file any additional materials by the deadline set forth by the Board. Additionally, Appellant’s May 21st filing did not provide evidence of standing for the Appellant organization and did not allege any specific Zoning violations. Therefore, Owner would reiterate its Motion to Dismiss and request that the Board grant the Motion as a preliminary matter when it next considers the Appeal. The Department of Consumer and Regulatory Affairs (“**DCRA**”) agrees with this Reiteration of the Motion to Dismiss, as shown by the e-mail correspondence with DCRA attached as Exhibit A.

Please feel free to contact Allison Prince at 202-721-1106 or Meghan Hottel-Cox at 202-721-1138 if you have any questions.

Sincerely yours,



Allison C. Prince



Meghan Hottel-Cox

Board of Zoning Adjustment
District of Columbia

CASE NO. 19896
EXHIBIT NO. 31

Certificate of Service

The undersigned hereby certifies that copies of the foregoing document was delivered by first-class mail or hand delivery to the following addresses on May 31, 2019.

Adams Morgan Friends & Allies
c/o Chris Otten
2203 Champlain Street NW
Washington, DC 20009

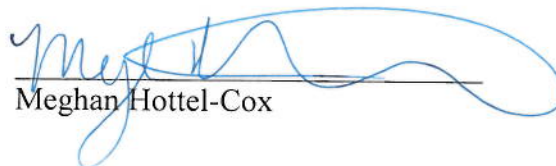
Matthew LeGrant
Zoning Administrator
DCRA
1100 4th Street, S.W., Room 3100
Washington, DC 20024

Adrienne Lord-Sorensen
Assistant General Counsel, OGC
DCRA
1100 4th Street, S.W.
Washington, DC 20024

Jennifer Steingasser
Office of Planning
1100 4th Street, S.W., Suite 650E
Washington, D.C. 20024

ANC 1C (7 copies)
P.O. Box 21009
Kalorama Station
Washington, DC 20009

Japer Bowles – ANC 1C 07 (1 copy)
1762 Lanier Place NW
Washington, DC 20009



Meghan Hottel-Cox

EXHIBIT A

Hottel-Cox, Meghan

From: Lord-Sorensen, Adrienne (DCRA) <adrienne.lord-sorensen@dc.gov>
Sent: Friday, May 31, 2019 8:06 AM
To: Hottel-Cox, Meghan
Cc: Lord-Sorensen, Adrienne (DCRA)
Subject: RE: 19896 - Reiteration of Motion to Dismiss

Hello Meghan,

DCRA agrees with the Owner's Reiteration of the Motion to Dismiss.

Please include my contact information in the Certificate of Service.

Regards,

Adrienne

Adrienne Lord-Sorensen | *Assistant General Counsel, OGC*
Department of Consumer and Regulatory Affairs
adrienne.lord-sorensen@dc.gov | 1100 4th St SW, DC 20024
main: 202.442.4400 | desk: 202.442.8401
fax: 202.442.9447 | dcra.dc.gov



From: Hottel-Cox, Meghan [mailto:MHottel-Cox@GOULSTONSTORRS.com]
Sent: Thursday, May 30, 2019 9:45 PM
To: Lord-Sorensen, Adrienne (DCRA)
Cc: Prince, Allison C.
Subject: 19896 - Reiteration of Motion to Dismiss

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Adrienne,

Per our conversation, attached is the Property Owner's Reiteration of Motion to Dismiss for BZA Appeal 19896. Because the Appellant did not file the materials required by the Board regarding standing and failure to state a claim by the deadline of 11:59 pm on May 29th, we are requesting the Board rule on our Motion to Dismiss as a preliminary matter when they take up the appeal.

Can you please confirm by reply e-mail that DCRA agrees with the attached Reiteration of Motion to Dismiss? Let me know if you have any questions.

Thanks,
Meghan

Meghan E. Hottel-Cox

Associate

Direct: (202) 721-1138

E-mail: mhottel-cox@goulstonstorrs.com

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