

Nezahat and Paul Harrison
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March 23, 2022

VIA IZIS

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

Re: **BZA Case No. 20594 – Nezahat and Paul Harrison (the “Applicant”) – BZA Application for 3007 Albemarle Street NW (Square 2041, Lot 818) (the “Property”) – Response to Party Opponent Motion for Continuance**

Dear Members of the Board:

With an important condition, we write to offer to consent to Party Opponent Dr. Mary Lee’s Motion for Postponement as seconded by Ms. Deborah Hernandez. The condition is that either a) Dr. Lee and Ms. Hernandez work with us to schedule individual or combined settlement discussion within the next 30 days or b) the Board order them to do so. We maintain our always open offer to meet to the other party opponent, Mr. Baringer, but do not include him in the proposed condition as we have not heard from him since the December 23rd hearing despite our emails to him and we are not aware that he has (as of yet) joined the motion to postpone.

We received email notice of the motion for postponement a full 15 days after we filed a supplemental Burden of Proof. Subsequent to our December 23, 2021 hearing, no significant changes were made to the proposed eastern house (the part of the site that is close to the party opponents). As to the western house, dropping the front setback variance request required us to bring it into front setback compliance and we thereby reduced its overall depth and thus physical footprint. Otherwise,

Board of Zoning Adjustment
District of Columbia
CASE NO.20594
EXHIBIT NO.87

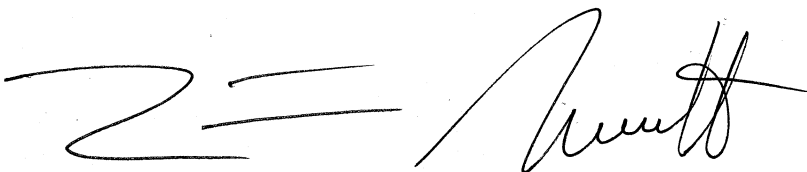
the physical details of the project remained largely the same as they were prior to previously scheduled December 23rd hearing.

Party opponents clearly dislike our proposed project, and dispute our facts about the plan, but they have either declined or ignored our suggestions that we should meet since they secured a continuance last December. At that hearing and in other communications we have offered to meet with the party opponents to discuss the project, possible changes, and possible accommodations on top of the substantial ones we have already included in the project design. This continues our practice of being open, transparent and accommodating to our neighbours since we first shared details of our plans with them more than a year ago. We have presented our project to full meetings of the ANC twice, both times with robust commissioner and community comment and discussion. We have also provided our team of experts twice for multi-hour in-person tours of the property and discussion of the project.

We believe that settlement-oriented meeting would be useful to clear up misconceptions, refine shared understanding of points in dispute, and potentially lead to an opportunity to compromise. By contrast, a continuance without requirement for settlement negotiations would unfairly delay our project and family home while wasting Applicants' and the Board's time and resources.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Z. E. Smith', written in a cursive style.

Certificate of Service

I hereby certify that I, Paul Harrison, of 3007 Albemarle Street NW, Washington DC 20008, served a copy of my Case Number 20594 Response to Motion to Continue via electronic mail to:

Office of Planning, Elisa Vitale, Development Review Specialist, elisa.vitale@dc.gov

ANC 3F, commissioners@anc3f.com and to Chair Claudette David at 3f05@anc.dc.gov

ANC 3F03 SMD Commissioner Dipa Mehta, 3f03@andc.dc.gov

Ms. Deborah Hernandez and her attorney Cynthia Giordano, debhdz@hotmail.com and Cynthia.Giordano@saul.com

Dr. Mary Lee and her attorney Andrea Ferster, drmaryrlee@gmail.com and aferster@railstotrails.org

Mr. John (Jack) Baringer, jfbaringer@gmail.com



Paul Harrison