

May 16, 2022

**VIA IZIS**

District of Columbia Board of Zoning Adjustment  
441 4th Street, NW, Suite 210S  
Washington, DC 20001

**Re: BZA Case No. 20636 – Penguin LLC (“Applicant”)  
Response to Postponement Objection**

Dear Members of the Board of Zoning Adjustment:

On behalf of the Applicant, this is in response to submission of John Fox filed on May 13th objecting to the Applicant’s request for postponement. The Application was determined to be complete on filing and the additional information requested by the Office of Planning are details and updates which are often submitted after the initial application is filed. This is especially common in instances involving project siting issues on sloping, heavily vegetated sites with infill characteristics. Further, it is customary for the Board to grant such postponements to ensure a complete record prior to the hearing. The Applicant will file the additional information requested by OP at least 21 days prior to the requested June 15th rescheduled hearing date as is required for supplemental submissions. As a result, there is no prejudice to any parties or persons who may want to review and comment on the information.

Thank you in advance for your consideration.

Sincerely,



Cynthia A. Giordano

cc: Certificate of Service

**CERTIFICATE OF SERVICE**

I hereby certify that, on May 16, 2022, I served a copy of this Response to Postponement Objection on the following parties via email:

1.     **D.C. Office of Planning**  
Matthew Jesick, AICP, Development Review Specialist  
via email:     matthew.jesick@dc.gov
  
2.     **District Department of Transportation**  
Mr. Jonathan Rogers, DDOT  
Mr. Aaron Zimmerman, DDOT  
via email:     jonathan.rogers2@dc.gov  
                  aaron.zimmerman@dc.gov
  
3.     **Neighborhood Commission 3D**  
via Email:     3D@anc.dc.gov
  
4.     **Advisory Neighborhood Commissioner SMD Chuck Elkins**  
via Email:     3D01@anc.dc.gov
  
5.     **Advisory Neighborhood Commissioner SMD Jason Rao**  
Via Email:     3D06@anc.dc.gov
  
6.     **Andrew Wong**  
via Email:     Andy.wong2@yahoo.com
  
7.     **John D. Fox**  
via Email:     foxyjd@gmail.com



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Cynthia A. Giordano  
Saul Ewing Arnstein & Lehr, LLP