

**DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**
One Judiciary Square
441 4th Street, NW
Washington, DC 20001

Appeal by Advisory Neighborhood Commission 6C

BZA Appeal No. 21057

**MOTION TO CONTINUE APPEAL HEARING PENDING RESOLUTION OF PERMIT
HOLDER’S APPLICATION FOR RELIEF**

Respondent, District of Columbia Department of Buildings (“DOB”), through its undersigned counsel, files this Motion to Continue the hearing currently scheduled for December 11, 2024, to a date after the resolution of the property owner’s pending application for relief. This Motion is filed with the consent of Appellant ANC Commissioner Mark Eckenwiler and Property Owner Nathaniel Lewis.

BZA Appeal 21057 includes a claim that the project at issue violates 11-C DCMR § 303.4. Property Owner has submitted Application 20820A seeking a modification of significance to BZA Order 20820, specifically requesting a variance from 11-C DCMR § 303.4. The BZA initially heard that Application on November 6, 2024, and has scheduled the matter for additional discussion and a final decision on December 18, 2024. If the BZA grants the relief requested in Application 20280A, that will narrow the scope of or possibly eliminate the need for any hearing in Appeal 21057. Therefore, in the interest of judicial economy, no hearing should be held in Appeal 21057 until the BZA has an opportunity to hear and rule on Application 20280A. DOB respectfully asks that the BZA reschedule the December 11, 2024, hearing for some date after the anticipated resolution of Application 20280A. DOB respectfully suggests a continuance of approximately 60 days, subject to the BZA’s availability.

Respectfully submitted,

ESTHER YONG MCGRAW
GENERAL COUNSEL

ERIK COX
DEPUTY GENERAL COUNSEL

/s/ Colleen Smythe
Colleen Smythe (DC Bar #1672966)
Assistant General Counsel
Department of Buildings
Office of the General Counsel
1100 4th Street, SW, 5th Floor
Washington, D.C. 20024
(202) 860-9834 (office)
Colleen.smythe@dc.gov

CERTIFICATE OF SERVICE

I certify that on November 22, 2024, a copy of the foregoing was sent via electronic mail to:

Kathleen Beeton, Zoning Administrator
Office of the Zoning Administrator
Department of Consumer and Regulatory Affairs
kathleen.beeton@dc.gov

Mark Eckenwiler
Chair, ANC 6C
Appellant
6c04@anc.dc.gov

Toye Bello
Counsel for Property Owner
toyebello@bandbllc.com

Advisory Neighborhood Commission 6C
3c@anc.dc.gov

/s/Colleen Smythe
Colleen Smythe