

DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT  
441 4<sup>th</sup> Street, N.W.  
Washington, D.C. 20001

Appeals of Advisory Neighborhood Commission 6C

BZA Appeal 19550

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**DCRA’S PARTIAL CONSENT MOTION TO CONTINUE TO MAY 9**

DCRA respectfully submits this Consent Motion to Continue the currently scheduled January 24 hearing in this appeal to May 9 (or later at the Board of Zoning Adjustment (“**Board**”)’s convenience) in order to allow a related appeal currently before the Office of Administrative Hearings (“**OAH**”) to be heard first. The OAH appeal challenges DCRA’s revocation of the same permit that is the subject of this appeal - B1706219 (the “**Permit**”) - for alleged violations of the Construction Codes. The OAH appeal centers on whether the Permit violated requirements to protect an adjacent chimney or vent. This is almost identical to one of the claims raised by Appellant in this appeal – the alleged violation of Section E-206.1(b)’s bar on an addition negatively impacting an adjacent chimney or vent that is compliant with District laws and regulations. DCRA asserts that it is in the interest of judicial economy to have OAH determine the compliance of the adjacent vent with the Construction Codes, over which the Board lacks jurisdiction, before the Board considers this appeal which will rely on the OAH determination to resolve at least this one claim.

Appellant, ANC 6C, and the Permit Holder have provided consent to the postponement via email. Intervenor has not provided his consent.

DCRA therefore respectfully requests the Board grant DCRA’s Partial Consent Motion to Continue to May 9, 2018 or later.

Respectfully submitted,  
CHARLES THOMAS  
General Counsel  
Department of Consumer and Regulatory Affairs

Date: 1/19/18

/s/ Maximilian L.S. Tondro

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 19<sup>th</sup> day of January 2018, a copy of the foregoing DCRA’s Partial Consent Motion to Continue to May 9 was served via electronic mail to:

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