

Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

Jessica R. Bloomfield
(202) 469-5272
Jessica.bloomfield@hklaw.com

January 30, 2020

VIA IZIS

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

**Re: Request for a Waiver of Subtitle Y § 705.1(a)
BZA Case No. 19695A
1315 16th Street, NW (Square 195, Lot 846)**

Dear Members of the Board:

On behalf of KWHP DC LLC, the Applicant in the above-referenced case, we respectfully request that the Board waive the requirement of 11-Y DCMR § 705.1(a), that all parties are given 30 days to respond to an application for a BZA time extension. If granted, all parties would be given 29 days to respond.

This request is made pursuant to 11-Y DCMR § 101.9, which grants the Board authority to waive any of the provisions of Subtitle Y if, in the judgement of the Board, the waiver will not prejudice the rights of any party and is not otherwise prohibited by law.

11-Y DCMR § 705.1(a) provides the following:

The Board may extend the time periods in Subtitle Y § 702.1 for good cause shown upon the filing of a written request by the applicant before the expiration of the approval; provided, that the Board determines that the following requirements are met:

- (a) The extension request is served on all parties to the application by the applicant, and all parties are allowed thirty (30) days to respond

In this case, the application was filed on January 28, 2020, was served on the ANC Single Member District Commissioner by email that same day, and by U.S. Mail and email to the general ANC address that same day (*see* Certificate of Service at Exhibit 4). The Applicant respectfully requests that the Board review this application at its February 26, 2020 public meeting, which is 29 days after serving the ANC.

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EXHIBIT NO. 6

The requested waiver will not prejudice the rights of any party. The only party to the case, other than the Applicant, is ANC 2B. The Applicant has already engaged with the ANC and is scheduled to present at its regularly scheduled and duly noticed public meeting of February 12, 2020. Because the only party to the case will have already voted on the application by February 26, 2020, waiving the 30-day requirement of 11-Y DCMR § 705.1(a) will not prejudice the rights of any party. Moreover, waiving this requirement is not otherwise prohibited by law.

As set forth in the Applicant's Statement in Support (Exhibit 4) we believe that the Applicant has otherwise met the standards of 11-Y DCMR § 705 for approval of an extension of time of BZA Order No. 19695A, and we respectfully request that the Board do so.

Sincerely,



Jessica R. Bloomfield

cc: Certificate of Service
Anna Chamberlin, DDOT (via email)
Commissioner Randy Downs, ANC 2B05 (via email at 2B05@anc.dc.gov)

CERTIFICATE OF SERVICE

I hereby certify that on January 30, 2020, a copy of the foregoing letter was served by electronic mail on the following at the addresses stated below.

Mr. Joel Lawson
D.C. Office of Planning
1100 4th Street, SW, Suite 650E
Washington, DC 20024
joel.lawson@dc.gov

VIA EMAIL

Advisory Neighborhood Commission 2B
#9 Dupont Circle, NW
Washington, DC 20036
2B@anc.dc.gov

VIA EMAIL


Jessica R. Bloomfield