

June 22, 2018

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

Re: **BZA Application No. 19787 – Applicant’s Consent to Postpone Hearing**

Dear Chairman Hill and Members of the Board:

On behalf of the applicant in the above-referenced case, 2604 29th Limited Liability Company (the “**Applicant**”), we respectfully consent to the request submitted by Single Member District Commissioner Robin Hammond Marlin to postpone the Board’s hearing currently scheduled for June 27, 2018. We request that the hearing be postponed on the condition that the Applicant be permitted to present the proposed project at ANC 7B’s regularly scheduled meeting on July 19th, and that the hearing before the Board be rescheduled to July 25th.

With all due respect to Ms. Marlin, we submit that ANC 7B and Ms. Marlin have been afforded notice regarding this application. Both ANC 7B and Commissioner Marlin were served copies of the application via first-class mail when the initial application was filed on May 4, 2018 (*see* Certificate of Service in Exhibit 3 in the record), and both were mailed notice of the application and hearing by the Office of Zoning on May 14, 2018 (*see* Exhibits 16 & 17 in the record). The Applicant subsequently reached out to Commissioner Marlin repeatedly via phone between May 25th and June 6th to discuss the project and request to present at the ANC’s scheduled meeting on June 21, 2018.¹ The Applicant was unable to reach Ms. Marlin until June 7th, at which time Ms. Marlin indicated that the Applicant would not be permitted to present at the ANC’s next meeting. The Applicant was not given any indication of Ms. Marlin’s concerns until seeing that the request to postpone the hearing had been submitted into the record.

Nevertheless, the Applicant understands Ms. Marlin’s concerns and is committed to engaging the community and the ANC about this project. We only request that the application be heard by the Board on July 25th so that it is not subject to a burdensome 2+ month delay for a small project. As a reminder, the minor relief in this application is to allow for an addition to a building to voluntarily include affordable units where there currently are none and where none are required.

¹ The Applicant’s initial contact with Ms. Marlin was unrelated to her contact with the Office of Zoning.

Accordingly, postponement until September would have a materially detrimental impact on this project.

The requested hearing date of July 25th is a reasonable compromise to accommodate both the Applicant and the ANC. The time between the Applicant's first contact with Ms. Marlin and the ANC's July 19th meeting – 42 days – is nearly the same as the time between the application filing date and the ANC's June 21st meeting. Therefore, the ANC will have the nearly the same amount of time to review the application on July 19th as it would have if the Applicant had made contact with Ms. Marlin the same day as filing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cary R. Kadlec", with a long horizontal flourish extending to the right.

Cary R. Kadlec

A handwritten signature in blue ink, appearing to read "Lawrence Ferris", with a long horizontal flourish extending to the right.

Lawrence Ferris

Certificate of Service

The undersigned hereby certifies that copies of the foregoing document was delivered by email or USPS mail to the following on June 22, 2018:

Brandice Elliott
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ANC 7B
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Robin Hammond Marlin, ANC 7B05
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Washington, DC 20020



Lawrence Ferris