

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

Appeal by Residences of Columbia Heights, A Condominium BZA Appeal No. 20183

**D.C. DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS’
PRAEPIPE JOINING THE DEPARTMENT OF GENERAL SERVICES’ RESPONSE
IN OPPOSITION TO APPELLANT’S MOTION TO REOPEN THE RECORD**

The D.C. Department of Consumer and Regulatory Affairs (“DCRA”), by and through counsel, joins the Department of General Services’ (“DGS”) *Response In Opposition to Appellant’s Motion to Reopen the Record* (the “Motion”) and states as follows:

For the reasons stated in DGS’s Motion, the DCRA joins in the Response and requests that the Board of Zoning Adjustment (the “Board”), deny Appellant’s Motion to reopen the record. DCRA further adds that the Appellant’s motion abjectly fails to show “good cause” under Subtitle Y § 602.6. Appellant’s *Request to Reopen* is merely a pretext to either: a) regurgitate its prior arguments; b) justify its failure to cross examine parties that were before the Board at the public hearing; or c) attempt to “object” to matters after the record has closed. More importantly, the purported “evidence” the Appellant seeks to introduce fails to demonstrate how the Zoning Administrator erred in any way.

Accordingly, DCRA requests that the Board deny the Appellant’s Motion to Reopen the Record.

Respectfully submitted,

/s/ Esther Yong McGraw

ESTHER YONG MCGRAW

General Counsel

Department of Consumer and Regulatory Affairs

Date: 3/10/10

/s/ Hugh J. Green

HUGH J. GREEN (DC Bar #1032201)

Assistant General Counsel

Department of Consumer and Regulatory Affairs

Office of the General Counsel

1100 4th Street, S.W., 5th Floor

Washington, D.C. 20024

(202) 442-8402 (office)

(202) 442-9447 (fax)

CERTIFICATE OF SERVICE

I certify that on March 10, 2020 a copy of the foregoing was served via electronic mail to:

Meridith H. Moldenhauer
Cozen and O’Connor
Department of General Services
1200 19th Street N.W.
Washington, D.C. 20036
mmoldenhauer@cozen.com
*Attorney for Owner Department of
General Services*

James A. Turner
Advisory Neighborhood Commission 1B
Chairperson
1236 Girard Street, NW
Washington, DC 20009
1B09@anc.dc.gov

The Residences of Columbia Heights, a
Condominium
c/o David W. Brown
410 E. Jefferson Street, Suite 206
Rockville MD 20850
brown@knopf-brown.com
Counsel for Appellant

Jennifer Bristol
1308 Clifton Street NW
Washington, DC 20009
1B06@anc.dc.gov

/s/ Hugh J. Green
Hugh J. Green