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VIA HAND-DELIVERY

March 5, 2018

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MAR 02 2018

DEPARTMENT OF  
PLANNING & ZONING

City of Burlington  
Development Review Board  
149 Church Street  
Burlington, VT 05401

Re: Case No. 18-0323DT

To Whom It May Concern:

Enclosed please find a Request to Postpone March 7, 2018 Hearing in the above-referenced matter.

Please do not hesitate to contact me should you have any questions.

Sincerely,

SHEEHEY FURLONG & BEHM P.C.

*Kevin A. Lumpkin // dms*

Kevin A. Lumpkin

KAL/dms  
Enclosure

cc: Assistant City Attorney Kimberlee J. Sturtevant, Esq.

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MAR 02 2018

CITY OF BURLINGTON  
DEVELOPMENT REVIEW BOARD

DEPARTMENT OF  
PLANNING & ZONING

In re Appeal of )  
59-61 University Terrace Determination )

Case No. 18-0323DT

**REQUEST TO POSTPONE MARCH 7, 2018 HEARING**

Appellant requests that the hearing on Case No. 18-0323DT currently set before the Development Review Board (“DRB”) for March 7, 2018 be postponed to the next regular meeting of the DRB. This is an appeal from a determination by the zoning administrator that the property located at 59-61 University Terrace is not subject to grandfathering with respect to the prohibition on 4 or more unrelated persons living together.

Undersigned counsel has been in communication with the City Attorney’s office regarding potential settlement of this matter and expected that the Parties would come to some agreement, avoiding the necessity of a hearing before this Board. On Thursday, counsel for the City informed undersigned counsel that the applicant’s offer of compromise was “not acceptable,” and that the City intended to move forward with this hearing.

Undersigned counsel will be away in California on another matter on Wednesday evening.<sup>1</sup> Because the arguments to be presented are primarily legal ones, not factual ones, it is important that counsel attend the hearing and make the presentation to this Board. For those reasons, appellant respectfully requests that the Board postpone this hearing to the next regular meeting of the DRB.

Undersigned counsel inquired of counsel for the City on Thursday as to whether the City would agree to this postpone the hearing, but did not receive a response.

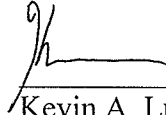
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<sup>1</sup> Speaking frankly, undersigned counsel never expected this hearing to go forward in light of settlement discussions with the City. Appellant continues to hold out hope that the parties will reach an agreement that is acceptable to both parties.

Dated at Burlington, Vermont this 5th day of March, 2018.

SHEEHEY FURLONG & BEHM P.C.

By:



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Attorneys for Appellant

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