

BEFORE THE ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

FORM 150 – MOTION / REQUEST

Before completing this form, please review the instructions on the reverse side. Print or type all information unless otherwise indicated. All information must be completely filled out.

CASE NO.: 18448

Motion/Request of: Applicant Petitioner Appellant Party Intervenor Other _____

Motion/Request to:

- | | |
|---|--|
| <input type="checkbox"/> Amend the Relief Sought <input type="checkbox"/> Waive Posting / Affidavit of Posting Requirement <input type="checkbox"/> Waive Notice Requirement to Shorten Period of Time Case is Advertised in the DC Register <input type="checkbox"/> Accept a Proffered Expert Witness <input type="checkbox"/> Allow Non-Authorized Representative to Perform Cross-Examination <input type="checkbox"/> Reopen the Record | <input type="checkbox"/> Reopen a Hearing (before decision) <input type="checkbox"/> Dismiss on the Merits <input type="checkbox"/> Postpone <input type="checkbox"/> Continue <input type="checkbox"/> Correct a Transcript <input checked="" type="checkbox"/> Waive the following Time Deadline (i.e. 14-day filing deadline): <u>Party Status request</u> <input type="checkbox"/> Other: _____ |
|---|--|

Points and Authorities:

On a separate sheet of 8 1/2" x 11" paper, state each and every reason why the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your motion or request, including relevant references to the Zoning Regulations or Map.

CERTIFICATE OF SERVICE

I hereby certify that on this 16 day of November, 2012

I served a copy of the foregoing Motion or Request to each Applicant, Petitioner, Appellant, Party, and/or Intervenor, and the Office of

Planning in the above-referenced ZC or BZA case via: Mailed letter Hand delivery E-Mail Other _____

Signature: Elias Wolfberg

Print Name: Elias Wolfberg

Firm/Organization: _____

Address: 3601 13th St. NW, Unit A, Washington DC, 20016

Phone No.: (617) 519-1362 E-Mail: eliaswolfberg@gmail.com

To be notified of hearing and decision: (Maker of Motion/Request or Authorized Agent)

In the event an authorized agent files a Motion or Request on behalf of the Maker of the Motion or Request, a letter signed by the Maker of the Motion or Request authorizing the agent to act on his/her behalf shall accompany the notice of application, petition, or appeal.

Print Name: **BOARD OF ZONING ADJUSTMENT**

Address: **District of Columbia**

Phone No.: **CASE NO. 18448**

EXHIBIT NO. 28 E-Mail: _____

RECEIVED
D.C. OFFICE OF ZONING
21 NOV 16 PM 1:56

FORM 150- MOTION/REQUEST

Please accept my application to be a party at the hearing on Tuesday, November 27, 2012, where BZA Application No: 18448 will be considered. I am seeking a waiver from the requirement of "Form 140 – Party Status Request", which requires that a person seeking to be a party to a BZA hearing submit Form 140 no later than 14-days before the hearing. I am now submitting my Form 140, and this is 12 days before the scheduled hearing for Case No. 18448.

The reason why I am only now seeking to become a party is that, contrary to BZA rules, the applicant, 3579 Warder St., LLC ("Applicant"), did not post the bright orange sign announcing the BZA hearing date until yesterday, November 15, 2012, 13-days before the hearing. Moreover, I never received by mail the letter that was to notify me about the Applicant's BZA hearing (which is also a violation of BZA's rules). Most importantly, I urge you to grant my application to be party to this hearing as my property will be directly affected by the changes the Applicant proposes, as outlined in my Form 140 request.