



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



FORM 150 – MOTION FORM

THIS FORM IS FOR PARTIES ONLY. IF YOU ARE NOT A PARTY PLEASE FILE A
FORM 153 – REQUEST TO ACCEPT AN UNTIMELY FILING OR TO REOPEN THE RECORD.

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.: 19187

Motion of:

☒ Applicant

☐ Petitioner

☐ Appellant

☐ Party

☐ Intervenor

☐ Other _____

PLEASE TAKE NOTICE, that the undersigned will bring a motion to:

Request for Leave pursuant to 11 DCMR § 3100.5.

Points and Authorities:

Please state each and every reason why the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your motion, including relevant references to the Zoning Regulations or Map and where appropriate a concise statement of material facts. If you are requesting the record be reopened, the document(s) that you are requesting the record to be reopened for must be submitted separately from this form. No substantive information should be included on this form.

On behalf of the Applicant, 1212-1216 4th Street, LLC, we respectfully request that the Board waive 11 DCMR § 3113.8 and permit the filing of this addendum to the Prehearing Statement. The purpose of this filing is to inform the Board of the Applicant's recent resolution of Sergei Mikhailov's opposition to the application, as well as conditions proffered as part of that resolution

CERTIFICATE OF SERVICE

I hereby certify that on this

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day of

March

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I served a copy of the foregoing Motion 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:

Print Name:

Meridith Moldenhauer

Address:

1912 Sunderland Place NW, Washington, DC 20036

Phone No.:

202-530-1482

E-Mail:

mmoldenhauer@washlaw.com

Board of Zoning Adjustment
District of Columbia
CASE NO.19187
EXHIBIT NO.34

LAW OFFICES
GRIFFIN, MURPHY, MOLDENHAUER & WIGGINS, LLP

MARK G. GRIFFIN (DC, MD)
BRIAN P. MURPHY (DC, MD)
ASHLEY E. WIGGINS (DC, MD)
MERIDITH H. MOLDENHAUER (DC, MD)
SAMANTHA MAZO (DC, MD)
Y. AJOKI AGBOOLA (MD, DC*)
MENELIK P. COATES (MD, DC*)
W. LAWRENCE FERRIS (MD, DC*)

*PENDING

DIRECT DIAL: 202-530-1482
DIRECT EMAIL: mmoldenhauer@washlaw.com

March 14, 2016

Marnique Heath, Chairperson
Board of Zoning Adjustment
441 4th Street, NW
Suite 210S
Washington, DC 20001

**Re: Application No. 19187 — 1212–1218 4th Street NW (Square 513, Lots 155 and 156)
Second Addendum to Prehearing Statement of the Applicant**

Chairperson Heath and Honorable Members of the Board:

The Applicant, 1212–1216 4th Street, LLC (the “Applicant”), files this Second Addendum to the Prehearing Statement for the limited purpose of informing the Board that the Applicant has worked with Sergei Mikhailov, the individual seeking party status in this case, and has resolved Mr. Mikhailov’s concerns regarding the proposed project. Accordingly, Mr. Mikhailov has withdrawn his request for party status and now supports the project.

Pursuant to the resolution between the Applicant and Mr. Mikhailov, the Applicant proffers the following conditions to the community and to the Board:

1. The Applicant shall provide a minimum of twenty-seven (27) parking spaces as part of the project;
2. The Applicant shall limit the number of parking spaces available to the residents of the proposed project to one parking space per dwelling unit or not to exceed twenty-two (22) parking spaces being utilized by those residents.
3. The Applicant shall make the parking spaces available to all property owners within two hundred feet (200 ft.) (the “Nearby Property Owners”) as follows: Six (6) months after the issuance of a Certificate of Occupancy for the project or six (6) months after seventy-five percent (75%) of the dwelling units for the project have been sold or leased, whichever date is later, notice shall be given to the Nearby Property Owners

stating that said they shall have thirty (30) days from the date of the notice to send a letter of intent to purchase or lease the remaining parking spaces available after parking spaces have been offered to the residents of the project. The parking spaces shall be available to the Nearby Property Owners for purchase or lease on a first-come, first-serve basis, at a 15% discount off of the current market rate sale or rent price for covered parking spaces in Mt. Vernon Square.

Thank you for your attention to this matter.

Sincerely,

GRIFFIN, MURPHY,
MOLDENHAUER & WIGGINS, LLP

A handwritten signature in black ink, appearing to read 'MM', with a long horizontal line extending to the right.

By: Meridith H. Moldenhauer

Cc: Advisory Neighborhood Commission 6E
c/o Marge Maceda, Chair (via email)
Single Member District 6E04 Commissioner Rachelle Nigro (via email)
Office of Planning (via email)
Sergei Mikhailov (via email)