



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

Case No. 19757



**FORM 153 – REQUEST TO ACCEPT AN UNTIMELY FILING OR TO REOPEN THE RECORD**

**THIS FORM IS FOR NON-PARTIES ONLY. IF YOU ARE A PARTY, PLEASE FILE A FORM 150 – MOTION.**

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.:** 19757

I, Mark Stilp hereby request the following relief:

Accept an untimely filing of Party Status in Opposition

To reopen the record to accept \_\_\_\_\_

**Points and Authorities:**

**Accept an untimely filing:** Please state each and every reason you believe the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your request to accept an untimely filing, including relevant references to the Zoning Regulations or Map. If you require more space, please use a separate piece of paper.

**Reopen the Record:** Please state each and every reason you believe the ZC or BZA should grant your request to reopen the record, including relevant references to the Zoning Regulations or Map. **The document(s) that you are requesting the record to be reopened for must be submitted separately from this form (see instructions). No substantive information is to be included on this form.**

Please see attached.

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (D.C. Official Code § 22-2405)

Date:	06/20/2018	Signature:	/s/ Mark Stilp
Name:	Mark Stilp		
Address:	1203 Staples Street NE		Board of Zoning Adjustment District of Columbia
Phone No(s).:	(cell) 312-505-6275	E-Mail:	MSTILP@GMAIL.COM

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EXHIBIT NO.45

**ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.**

Form 153

**Form 153 – Points and Authorities****Proactive and Preemptive Submission of Form 153**

My request for party status in opposition to BZA Case No. 19757 is proper and timely in accordance with DC Zoning Regulations. 11 DCMR Subtitle Y § 404 *et. al.*

My request is timely because I am filing it 21 days in advance of the hearing day, July 11, 2018, for BZA Case No. 19757. Accordingly, the BZA may consider my party status request at a public meeting scheduled at least fourteen (14) days prior to the public hearing for BZA Case No. 19757.

However, should the BZA find my request for party status in opposition to BZA Case No. 19757 to be improper or untimely for any reasons, based on this pre-emptive filing of form 153, please reconsider and accept as timely and proper my request for party status in opposition.

**Points and Authorities:**

*Accept an untimely filing: Please state each and every reason you believe the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your request to accept an untimely filing, including relevant references to the Zoning Regulations or Map. If you require more space, please use a separate piece of paper.*

The BZA Should Grant My Request for the Following Reasons:

- The owner/developer presented the proposed plans to the ANC on June 12, 2018, and I needed time (eight days) following the ANC presentation to consider the proposed development, consult my wife, and continue to research the proposed development's impacts on my property and neighborhood.
  - Working well over than 40 hour per week and caring for my 11-month old son leaves little time to research, write and file an opposition.
- The ANZ voted against the applicant's development plan, and I allowed the applicant time to modify the current development plan and amend their BZA submissions before filing an opposition.
  - To my knowledge, the applicant has not amended or modified the originally proposed development and/or BZA application.
  - Now, more than one week has passed since the ANC voted to oppose the applicant's proposed development and I believe it is appropriate and necessary for me to file my opposition.
- On June 5, 2018, I emailed the applicant and the applicant's architects to give notice of my likely request for party status in opposition, and I allowed the applicant time to respond to my opposition.
  - The applicant has not responded to address my concerns and/or my notice of opposition.
- The proposed development would significantly impact my solar energy system, which required me to obtain information from the solar company and commission costly shade

Form 153 Points and Authorities

studies, which confirm that the proposed development would significantly impact my solar energy system.

- I received a relevant shade study from the solar installer on June 12, 2018, and I have needed time to analyze the shade study and incorporate the findings in my opposition.
- I will submit the shade analysis to the BZA.
- I have already shared the shade analysis to the ANC and the applicant.