



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.:

Motion of:

☐ Applicant

☐ Petitioner

☐ Appellant

☐ Party

☐ Intervenor

☐ Other _____

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

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.

CERTIFICATE OF SERVICE

I hereby certify that on this

D

D

day of

Month

,

Y

Y

Y

Y

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:

Alan Gambrell

Address:

P.O. Box 21009

Phone No.:

202-441-7288

E-Mail:

1c05@anc.dc.gov

Board of Zoning Adjustment
District of Columbia

CASE NO.19224
EXHIBIT NO.20



Advisory Neighborhood Commission 1C

PO Box 21009, NW, Washington, DC 20009

www.anc1c.org

Representing Adams Morgan

Commissioners:

March 29, 2016

Julie Seiwell (1C01)

Marnique Heath, Chairman
Board of Zoning Adjustment
441 4th Street, N.W., Suite 200-S
Washington, D.C. 20001

Hector Huevo (1C02)

Ted Guthrie (1C03)

RE: BZA Case 19224 - Motion to Delay

Gabriela Mossi (1C04)

Alan Gambrell (1C05)

Billy Simpson (1C06)

Wilson Reynolds (1C07)

JonMarc Buffa (1C08)

ANC1C is writing to request a delay in the April 12, 2016 hearing date for BZA Case 19224 as the status of the permit is unclear and issuance of any new permit prior to April 12 would provide insufficient time for appellants to respond. Details follow:

- DCRA issued a Notice to Revoke permit B1502005 on 3/21/16 (copy attached).
- The permit holder initially communicated to DCRA an intent to surrender their permit but later changed their position.
- DCRA anticipates filing a motion to dismiss the case based upon on the Notice to Revoke but has not done so as of the date of this memo.

In addition, neighboring property owners are engaged in discussions with the owner of 1835 Ontario Place, NW around alternative development plans (a 2 unit conversion under R-4 zoning). Neighbors are also discussing a buy-out option with the owners. Please note that ANC1C and individual Commissioners are not a party to either of these discussions.

Finally, ANC1C will take a vote at its April 6, 2016 monthly meeting regarding the request to consolidate Case 19224 with 19225.

Sincerely,

Alan Gambrell
ANC 1C, Planning, Zoning, Transportation Committee

Attachment



GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR

March 21, 2016

VIA FIRST CLASS MAIL

NOTICE TO REVOKE BUILDING PERMIT B1502005

To: Ontario Holdings, LLC
19142 Stream Crossing Court
Leesburg, VA 20176
Owner

Cc: Samantha Mazo
Griffin, Murphy, Moldenhauer & Wiggins, LLP
1912 Sunderland Place, N.W.
Washington, D.C. 20036
Counsel for Owner

Re: 1835 Ontario Place, NW

This is official notice from the Department of Consumer and Regulatory Affairs (“DCRA”) that building permit B1502005 (the “**Permit**”) for 1835 Ontario Place, N.W. (the “**Property**”) will be revoked on **March 31, 2016** unless the owner surrenders the Permit to DCRA and renounces all rights under the Permit.

DCRA has determined that the Permit violates 11 DCMR 2100.10(a) because the Permit did not maintain the existing parking space in the garage at the rear of the property. DCRA issued the Permit based on the Owner’s application stating that this structure was not used for parking. Subsequent documentation from neighbors provided evidence that the garage had been used for parking. Therefore this parking space is required to be maintained under 11 DCMR 2100.1(a), and an additional space provided to satisfy the two parking spaces required by 11 DCMR 2101.1 for the four dwelling units proposed under the Permit.

Therefore, DCRA hereby provides notice that it will revoke the Permit effective on **May 30, 2016**, sixty (60) days after the receipt of this notice, deemed to be March 28, 2016 under 12A DCMR §110.5.6.4, unless the Permit holder requests an appeal hearing from the Board of Zoning Adjustment (the “**Board**”) within that sixty (60) day period following the date of service of this notice on March 31, 2016.

RIGHT TO APPEAL

You have the right to appeal the revocation of your building permit under 12A DCMR § 105.6.4 To appeal, you must file an appeal with the District of Columbia Board of Zoning Adjustment, 441 4th Street, NW, Suite 210 South, Washington, DC 20001 (<http://dcoz.dc.gov>) no later than

May 30, 2016 - sixty (60) days after service of this notice, which is deemed to be March 31, 2016 per 12A DCMR §105.6.3.

Any questions about this Notice may be directed to the Office of the Zoning Administrator at (202) 442-4576 or via email at matt.legrant@dc.gov.

Date: March 21, 2016

A handwritten signature in blue ink, appearing to read "Matthew Le Grant", written over a horizontal line.

Matthew Le Grant
Zoning Administrator