



**BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT FOR 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.:

19452

Motion of:

Applicant

Petitioner

Appellant

Party

Intervenor

Other _____

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

File the transportation study prepared by Gorove/Slade and the resume of Daniel B. VanPelt, P.E., PTOE one (1) day out of time.

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, 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 (see instructions).

Consent:

Did movant obtain consent for the motion from all affected parties?

Yes, consent was obtained by all parties

Consent was obtained by some, but not all parties

No attempt was made

Despite diligent efforts consent could not be obtained

Further Explanation: Advisory Neighborhood Commission 5B does maintain an office and the Applicant was unable to obtain consent by telephone. The Applicant did obtain consent from Citizens for Responsible Options, which seeks party status in this case.

CERTIFICATE OF SERVICE

I hereby certify that on this

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day of

January

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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:

George R. Keys, Jr.

Print Name:

George R. Keys, Jr.

Address:

910 17th Street, N.W. - Suite 317, Washington, D.C. 20006

Phone No.:

(202) 483-8300

E-Mail:

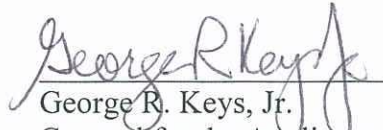
gkeys@jordankeys.com

Board of Zoning Adjustment
District of Columbia
CASE NO 19452
EXHIBIT NO 38

ADDENDUM SHEET TO FORM 150 – MOTION FORM

The Applicant hereby moves, pursuant to Subtitle Y, § 204.5 of the 2016 Zoning Regulations, for leave to file the transportation study prepared by Gorove/Slade and the professional resume of Daniel B. VanPelt, P.E., PTOE one (1) day out of time. For good cause, the Applicant offers the following:

1. The transportation study and the resume of the person preparing the study were due to be filed by the Applicant on January 30, 2017, thirty (30) days prior to the March 1, 2017 public hearing in this case.
2. Gorove/Slade submitted the draft technical memorandum to the District Department of Transportation (“DDOT”) for its review and comment on January 13, 2017.
3. Counsel for the Applicant was waiting for any DDOT comment on the technical memorandum that might cause any change in the scope or conclusions presented before filing the technical memorandum with the Board.
4. By the time that counsel for the Applicant learned on January 30, 2017, that DDOT did not have any comment on the technical memorandum, it was already too late in the day to file with the Interactive Zoning Information System.
5. The Applicant believes that no party in this case was prejudiced by the one day of delay in filing, because many of the principal observations and conclusions of the technical memorandum were already referenced in the narrative statement of the Applicant filed with the Board on January 4, 2017.
6. The Applicant has obtained the consent to this motion of Citizens for Responsible Options, which has filed a Party Status Request (Form 140) with the Board on January 24, 2017.


George R. Keys, Jr.
Counsel for the Applicant

Dated: January 31, 2017