



**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.:

Motion of:

Applicant

Petitioner

Appellant

Party

Intervenor

Other _____

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

Withdraw Applicant's request for a driveway variance and for a refund of the \$1,040 variance filing fee.

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: In the interest of time, Applicant has not yet talked to the ANC but will do so.

CERTIFICATE OF SERVICE

I hereby certify that on this

9th

day of

April

,

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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:

Emily J. Vaias, Esq.

Address:

1909 K Street NW, 12th Floor, Washington, D.C. 20006

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Board of Zoning Adjustment
District of Columbia

FORM NO. 150.01
EXHIBIT NO.61

4. On April 5, 2018, Applicant met with the Zoning Administrator to further discuss the variance relief requested, and during this meeting the Zoning Administrator confirmed that the expected traffic to and from the parking area constitutes “one-way traffic” for which a twelve- foot (12’) driveway is sufficient. *See* Exhibit A – Zoning Administrator Confirmation.

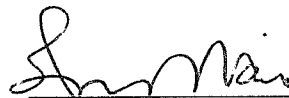
5. Accordingly, Applicant is hereby moving to withdraw its request for a variance from the requirements of Subtitle C, § 711.6 related to the driveway, and simultaneously submitting a revised Self-Certification form.

6. Applicant is a non-profit entity engaged in the business of providing crisis housing for survivors of domestic violence, and has limited funds which can be devoted to the Project. Considering the foregoing, and considering further that the request for variance relief from Subtitle C, § 711.6 was only filed in advance of the April 5, 2018 meeting with the Zoning Administrator because of the immediacy of the public hearing date, Applicant respectfully requests a refund of the \$1,040.00 filing fee for the variance request for the driveway.

Wherefore, Applicant respectfully moves to withdraw its request for a variance from Subtitle C, § 711.6 and Applicant further requests that it be refunded the \$1,040.00 filing fee for such request.

Respectfully submitted,

Date: April 9, 2018



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Attorneys for Amaro LLC

EXHIBIT A

Haun, Ashley (DC)

From: LeGrant, Matt (DCRA) <matthew.legrant@dc.gov>
Sent: Friday, April 06, 2018 4:43 PM
To: Vaias, Emily, J. (DC)
Cc: Haun, Ashley (DC)
Subject: RE: 101 Q Street, NE - Meeting Tomorrow

Emily Vaias:

By means of this email I confirm that I am in agreement with the analysis and the conclusions stated in your below email.

Please let me know if you have any further questions.

Matthew Le Grant | Zoning Administrator, Office of the Zoning Administrator
Department of Consumer and Regulatory Affairs
Matthew.legrant@dc.gov | 1100 4th St SW, DC 20024
main: 202.442.4576 | desk: 202.442.4652
dcra.dc.gov



From: Vaias, Emily, J. [mailto:VaiasE@ballardspahr.com]
Sent: Thursday, April 05, 2018 6:22 PM
To: LeGrant, Matt (DCRA)
Cc: Haun, Ashley
Subject: RE: 101 Q Street, NE - Meeting Tomorrow

Mr. LeGrant – Thank you for meeting with us this morning to discuss our pending applications for 101 Q Street, NE. We would appreciate your confirmation of the below items:

- 1) Driveway width – The proposed driveway is 12 feet in width and serves the small parking lot with only 10 spaces. The driveway will operate as a one-way driveway with controlled access for security purposes which will only allow one vehicle to enter or exit at a time. Accordingly, this driveway satisfies the zoning requirements of Subtitle C, Section 711.6 and a variance is not necessary.
- 2) Loading berth – Because the Project proposes 32,000 square feet in a newly constructed building (which could include up to 25,000 square feet of emergency shelter and 7,200 square feet of office) it is required to provide a loading berth pursuant to Subtitle C, Section 902.3. A variance is needed to reduce this requirement.

Please let me know if you need anything more. Thanks again – Emily

Emily J. Vaias

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From: Vaia, Emily, J. (DC)
Sent: Wednesday, April 04, 2018 4:33 PM
To: 'LeGrant, Matt (DCRA)'
Cc: Haun, Ashley (DC)
Subject: 101 Q Street, NE - Meeting Tomorrow

Mr. LeGrant – Thank you for agreeing to meet with us tomorrow (Thursday, April 5 at 11:00 am) to review our pending special exception and possible variance applications. I have attached hereto a short agenda describing the current status of the project and applications. We are scheduled to go to the BZA next Wednesday, April 11. We want to review with you whether we really need variances for the driveway width and the loading berth requirements. We will bring some additional materials with us, but I wanted you to have our outline of the issues and at least the zoning map and proposed site plan prior to our meeting. Thanks again. See you tomorrow – Emily

Emily J. Vaia

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