



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.: 19787

Motion of: [] Applicant [] Petitioner [] Appellant [x] Party [] Intervenor [] Other

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

Request the acceptance of the attached (1 day past the due date of 7 days) untimely filing of the ANC 7B report for this case.

(see attached reasons:

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: Consent was obtained from the ANC 7B Commissioners on 9/6/18

CERTIFICATE OF SERVICE

I hereby certify that on this 07 day of September, 2018

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 [x] E-Mail [] Other

Signature: [Handwritten Signature]

Print Name: Robin Hammond Marlin, ANC 7B, SMD 7B05, Past Chair

Address: 3350 Erie Street, SE

Phone No.: 202 679-0038

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Motion/Request seeking waiver of the deadline to file ANC Report

Case No. 19787

Case name: 2604 29th Street. SE

Motion: Request the acceptance of the attached (1 day past the due date of 7 days)

ANC 7B report for Case No. 19787

Reason for Requesting the above stated Motion: I, Commissioner Robin Hammond Marlin, the SMD Commissioner for this project have been holding meetings with the impacted residents and with the developer but, unfortunately to no end of a resolution. The last meeting held that I convened was on September 5, 2018 with both the impacted residents and the developer and their attorney. On August 16, 2018, the developer presented their project to the full ANC 7B Commission at our monthly community meeting. After a very contentious, vehement and angry discussion, the ANC Chair as a result decided that no vote would be taken by the commission during the meeting because of the following: 1) the inconsistencies stated by the developer for this project as felt the impacted residents and other residents; 2) the impacted residents comments, opinions and observations as to why this project should not be rendered a "special exception" by the BZA and as a result the Chair asked for a "no vote" motion for the project; and 3) the Chair felt more discussion needed to be had between the residents and the developer before an informed and thoroughly vetted decision could be made to render a vote from all of the Commissioners present.

It has been my attempt over the past 2 months to bring both parties together to discuss what each sides concerns are and to bring about a resolution. Thus in that vein and effort, the ANC report was not submitted timely. However, at each turn and presentation the developer steadfastly represents their position as a matter-of- right (this has been repeatedly stated by the attorney and by Jesse, a partner in the project) and thereby these kinds of approaches/attitudes have blocked all open-minded discussions on the legitimate concerns being voiced in the community. Hence the untimely submission of the ANC report due to me try through now exhaustive attempts to reach a resolution with the developer. Also, as a result of a vote not being rendered by the commission at our public meeting, not until yesterday (Thursday September 6, 2018) did I realize a ANC report still had to be filed.

Submitted: Friday September 7, 2018


Commissioner Robin Hammond Marlin, SMD Commissioner 7B05