



**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.: 19818

Motion of: Applicant Petitioner Appellant Party Intervenor Other _____

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

File a response to DCRA's Pre-Hearing Statement

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: Given the time constraints involved, the Appellant did not wish to cause further delay by seeking the parties' consent. Further, because the Appellant has the support of moving intervenors Adam and Shelby Telle, he has no reason to expect that they would oppose the filing of this response.

CERTIFICATE OF SERVICE

I hereby certify that on this 20 4 day of September Month, 2 0 1 8

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: Stephen A. Cobb

Address: 1269 Penn St NE, Washington, DC 20002

Phone No.: (703) 964-7905

E-Mail: sacobbva@gmail.com Board of Zoning Adjustment

INFORMATION

A motion is a procedural device requested by a party to the case to bring a limited, contested issue before the Zoning Commission (ZC) or the Board of Zoning Adjustment (BZA) for decision. A party may submit a motion at any point; however, it is recommended that motions be submitted ahead of time for consideration by the ZC or BZA.

Use this form if you are a party to a case and you would like to request that the ZC or BZA entertain your motion. For example:

- a). Motion to continue or dismiss; or
- b). Motion to reopen a closed record to accept a document.

A motion will be entertained by the ZC or BZA at a meeting or as a preliminary matter at a hearing. At that time a decision will be rendered. Please note, in the case of a request to reopen the record, pursuant to 11 DCMR Subtitle Z § 602.6 and Subtitle Y § 602.6, the request will be presented to the Chair for consideration. The request must demonstrate good cause and the lack of prejudice to any party. If granted, the materials shall be entered into the record.

INSTRUCTIONS

Any Motion, as provided by the District of Columbia Zoning Regulations (11 DCMR), that is not completed in accordance with the following instructions shall not be accepted:

1. Forms must be completely filled out. All information shall be furnished by the Maker of the Motion or Request. If additional space is necessary, use separate sheets of 8 ½" x 11" paper to complete the form (drawings and plans may be no larger than 11" x 17").
2. On this sheet and/or on a separate sheet of 8 ½" x 11" paper, state:
 - o Case Number;
 - o Name of Movant;
 - o The relief you are requesting;
 - o Each and every reason you believe you are entitled to relief and why the ZC or BZA should grant your motion, including relevant references to the Zoning Regulations or Map;
 - o Whether consent was obtained by other parties;
 - o Certificate of Service;
 - o Signature and Date; and
 - o Contact Information.
3. Submit the required Form 150 to the Office of Zoning using:
 - o The Interactive Zoning Information System at www.dcoz.dc.gov for electronically filed cases;
 - o In person or by US mail at 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001; or
 - o By email to zsubmissions@dc.gov for the ZC or bzasubmissions@dc.gov for the BZA.
4. Pursuant to 11 DCMR Subtitle Z § 407.3 and Subtitle Y § 407.3, at the time of filing, Movants of Motions are required to serve all Applicants, Petitioners, Appellants, Parties, and/or Intervenors, and the Office of Planning in the above-referenced ZC or BZA case via either mailed letter, hand-delivery, or electronic mail.



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.

BOARD OF ZONING ADJUSTMENT FOR THE DISTRICT OF COLUMBIA

Case No. 19818

**Points and Authorities in Support of Appellant's Motion
to File a Response to DCRA's Pre-Hearing Statement**

The Response was not filed by the deadline because of network connectivity issues the Appellant experienced on the day of filing. Further, it is being submitted for filing less than 24 hours after the deadline. And because the document is merely a response to DCRA's Pre-Hearing Statement, it does not raise any new arguments. As a result, no party will be prejudiced by its filing.