



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.: 19861

Motion of: Applicant Petitioner Appellant Party Intervenor Other DCRA

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

Joint Motion of Appellant, Station Townhouses LLC ("Appellant" or "Station Townhouses"), and the District of Columbia Department of Consumer and Regulatory Affairs ("DCRA") to continue the public hearing, currently scheduled for November 7, 2018, by at least thirty (30) days.

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
- ? No attempt was made
- Consent was obtained by some, but not all parties
- ? Despite diligent efforts consent could not be obtained

Further Explanation: The DCRA consents to the relief requested herein.

CERTIFICATE OF SERVICE

I hereby certify that on this 17 th day of October, 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 E-Mail Other

Signature:

Print Name: Andrew M. Murad

Address: Arent Fox LLP, 1717 K St., NW, Washington, DC 20006

Phone No.: (202) 857-6040 E-Mail: andrew.murad@arentfox.com

**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

**Appeal by Station Townhouses LLC of
Department of Consumer and Regulatory
Affairs June 21, 2018 Notice to Revoke
Certificate of Occupancy #CO1503518
Issued to 701 2nd Street, N.E., d/b/a Station House**

**BZA Appeal No. 19861
ANC 6C**

**JOINT MOTION TO CONTINUE PUBLIC HEARING AND MEMORANDUM OF
POINTS AND AUTHORITIES IN SUPPORT THEREOF**

Appellant, Station Townhouses LLC (“**Appellant**” or “**Station Townhouses**”), and the Department of Consumer and Regulatory Affairs (“**DCRA**”) (together with Appellant, the “**Parties**”), pursuant to 11-Y DCMR §§ 407.5 and 500.5, respectfully request the Board of Zoning Adjustment (the “**Board**” or “**BZA**”) to continue the public hearing in this matter, currently scheduled for November 7, 2018, by at least thirty (30) days, until on or after December 7, 2018. As discussed below, good cause exists to grant this Motion.

1. On August 20, 2018, Station Townhouses filed the instant Appeal of a Notice, dated June 21, 2018, from the Zoning Administrator, DCRA (the “**CO Revocation Notice**”), proposing to revoke Certificate of Occupancy No. CO1503518 for the building located at 701 2nd Street, N.E. (Square 0752, Lot 0049) (the “**Property**”). A public hearing on the Appeal is currently scheduled to take place on November 7, 2018 at 9:30 am.

2. The CO Revocation Notice alleges that “[a] recent DCRA investigation determined that the Property is being used for temporary/short-term lodging through a partnership with short term rental housing company Churchill Living.”

3. As of October 5, 2018, Appellant avers that its tenants have discontinued their unauthorized, temporary/short-term uses of their leased units at the Property.


4. Therefore, Appellant avers that the Property is fully compliant with the Certificate of Occupancy. Accordingly, counsel for DCRA has stated that DCRA intends to withdraw its CO Revocation Notice and has stated its agreement to continue the BZA appeal hearing. A true and correct copy of an email from DCRA's counsel, Adrienne Lord-Sorenson, Esq., expressing this agreement is attached as **Exhibit A**.

5. In light of the DCRA's intention to withdraw the CO Revocation Notice, and to allow the agency additional time to finalize and obtain approvals necessary to formally withdraw the Notice, the Parties' respectfully request that the Board continue the public hearing by at least thirty (30) days, to be rescheduled to a date on or after December 7, 2018.

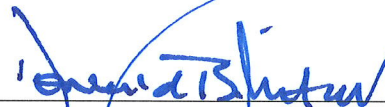
WHEREFORE, for good cause shown, Appellant Station Townhouses and the DCRA respectfully request that the BZA grant their Motion, and continue the public hearing in this matter by at least thirty (30) days.

Dated: October 17, 2018

Respectfully submitted,


Adrienne Lord-Sorenson
Assistant General Counsel
Department of Consumer and Regulatory
Affairs
Office of the General Counsel
1100 4th Street, S.W., 5th Floor
Washington, DC 20024
Adrienne.Lord-Sorensen@dc.gov

Attorney for DCRA


Donald B. Mitchell, Jr.
Andrew M. Murad
Arent Fox LLP
1717 K Street, NW
Washington, DC 20006
Donald.mitchell@arentfox.com
Andrew.murad@arentfox.com
(202) 857-6000

*Attorneys for Appellant Station Townhouses
LLC*

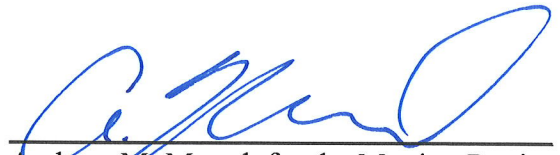
CERTIFICATE OF SERVICE

I hereby certify that on October 17, 2018, true copies of the Joint Motion to Continue Public Hearing and Memorandum of Points and Authorities in Support Thereof, and all accompanying documents and exhibits were served via first-class mail, postage pre-paid, and electronic mail upon the following:

Karen Wirt
Chairperson & ANC 6C02 Commissioner
ANC 6C
P.O. Box 77876
Washington, DC 20013-7787
6C02@anc.dc.gov

Mark Eckenwiler
Commissioner, ANC 6C04
ANC 6C
P.O. Box 77876
Washington, DC 20013-7787
6C04@anc.dc.gov

Eric D. Shaw, Director
District of Columbia Office of Planning
1100 4th Street, S.W., Suite 650 East
Washington, DC 20024
Eric.shaw@dc.gov



Andrew M. Murad, for the Moving Parties

EXHIBIT A

From: Ivan Baron <Baron@Roselandres.com>
Sent: Wednesday, October 17, 2018 11:20 AM
To: Mitchell Jr, Donald B.; Bouker, Jon; Jacqueline A. Weiss (jweiss@fisherbrothers.com)
Subject: FW: Station Townhouse- BZA 19861

Ivan M. Baron
Chief Legal Officer

Roseland Residential Trust

A Mack-Cali Company
Harborside 3 – 210 Hudson Street, Suite 400
Jersey City, New Jersey 07311
Phone: 973-218-2335
baron@roselandres.com | www.roselandres.com
Let's get social [Click Here](#) Let's tweet [Click Here](#)

From: Lord-Sorensen, Adrienne (DCRA) [mailto:adrienne.lord-sorensen@dc.gov]
Sent: Tuesday, October 16, 2018 2:54 PM
To: Ivan Baron <Baron@Roselandres.com>
Cc: Lord-Sorensen, Adrienne (DCRA) <adrienne.lord-sorensen@dc.gov>
Subject: Station Townhouse- BZA 19861

Dear Mr. Baron,

DCRA consents to a continuance of the November 7, 2018 hearing.

If you have any questions, please contact me.

Regards,

Adrienne Lord-Sorensen | *Assistant General Counsel, OGC*
Department of Consumer and Regulatory Affairs
adrienne.lord-sorensen@dc.gov | 1100 4th St SW, DC 20024
main: 202.442.4400 | desk: 202.442.8401
fax: 202.442.9447 | dcra.dc.gov



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