

January 30, 2024

Via Email Board of Zoning Adjustment
441 4th Street, N.W. Suite 210S Washington, DC 20001

Re: Motion to Strike Applicant's Submission in Response to the Procedural Order on Remand-
BZA Case No. 20135 – 3428 O Street, NW

Dear Chairperson Hill and Members of the Board:

The Procedural Order on Remand provided that: "The submissions must be based solely on the record in this case and shall not include any materials not before the Board in the original proceeding."

The Applicant, in its submission, disregarded this requirement, including citing cases like the Lester Order and issues about self-certification and the Zoning Administrator not in the original proceeding and therefore its submission should be stricken from the record.

Respectfully submitted,

Melinda Roth

CERTIFICATE OF SERVICE

I hereby certify that on January 30, 2024, an electronic copy of this submission was served to the following:

D.C. Office of Planning Joel Lawson joel.lawson@dc.gov

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Respectfully Submitted,

Melinda Roth