



Government of the District of Columbia Advisory Neighborhood Commission 5C

Arboretum | Brentwood | Fort Lincoln | Gateway | Langdon | Woodridge

April 14, 2025

DC Board of Zoning Adjustment (BZA)
(transmittal via bzasubmissions@dc.gov)

BZA case 20184B; Fort Lincoln-Eastern Avenue, LLC

REQUEST TO EXTEND MOTION TO RECONSIDER DEADLINE

On March 26, 2025, the BZA voted 3-0-2 to approve BZA 20184B, a “Modification without Hearing” application, a second one-year time extension to build 51 townhomes on Square 4325, Lots 44, 802 and Parcel 174/15, in ANC 5C02. On April 1, 2025, the BZA issued a decision on said application.

Per 11 DCMR Subtitle Y §700.2: *Any party may file a motion for reconsideration of any decision of the BZA provided the motion is filed within ten (10) days from the date of the written order.* At 11:59 pm on the 10th day (April 11, 2025), the ANC 5C filed a motion to reconsider the BZA order via the Interactive Zoning Information System (IZIS). The ANC 5C served all parties via email at 12:31 am on April 12, 2025. Per 11 DCMR Subtitle Y §204.5: *Except as otherwise provided by law, whenever an act is required or allowed to be done at or within a specified time, the time fixed or the period of time prescribed may, for good cause, be extended or reduced by the Board with notice to all parties or announcement on the record.*

The ANC 5C respectfully requests the BZA extend the time to submit a motion to reconsider by 32 minutes for good cause.

While ANC 5C contends the motion was submitted by deadline in real time, the time for electronic connection reflects one to two minutes later. Further, ANC 5C took several more minutes to serve the documents to other parties. This was due to a misunderstanding of the “motion to reconsider” form supplied by the BZA on IZIS. The ANC 5C thought the service was ‘automatic’ by using the IZIS form versus the other option of sending an email to bzasubmissions@dc.gov. Therefore, the ANC 5C recognizes its own mistake, and does not propose any alteration to the form, but kindly requests grace on the minimal timing mistake. It is to be noted that while ANC’s are elected bodies, they hold significant personal and career responsibilities that often hinder the advocate’s ability to keep strict deadlines to the minute.

The ANC 5C believes filing 32 minutes later was not detrimental to any party, as it was the middle of the night, ahead of a weekend, when no business was being conducted by any

party. Further, the Applicant's immediate response to the motion, 7 days ahead of their deadline to respond, exhibits the lack of detriment caused by an extension of 32 minutes.

Thank you for your time and consideration. You may reach me at 5C03@anc.dc.gov on this matter.

Dated: April 14, 2025

Respectfully submitted¹,

Tequia Hicks Delgado
Chairperson
Advisory Neighborhood Commission 5C
5C03@anc.dc.gov
(202) 643 - 1861

¹ At a duly noticed meeting with quorum present on February 13, 2025, ANC 5C voted 6-0 to authorize 5C03 Commissioner and Commission Chair Tequia Hicks Delgado to represent ANC 5C on matters related to BZA 20184B, a Modification without Hearing application, for a second time extension to build 51 townhomes on Square 4325, Lots 44, 802 and Parcel 174/15, in ANC 5C02.