

March 2, 2023

VIA IZIS

D.C. Board of Zoning Adjustment  
Office of Zoning  
441 4<sup>th</sup> Street, N.W., Suite 200S  
Washington, DC 20001

Re: **BZA Application No. 20643 – Response of The Maret School (“Applicant”) to Friends of the Field Motion to Reopen the Record and Stay the Final Decision and Order**

Dear Members of the Board:

This letter responds to the Motion to Reopen the Record and Stay the Final Decision and Order filed by Friends of the Field (“FoF”) on February 23, 2023.

Motion to Reopen the Record and Allow the OAG Letter, dated February 17, 2023, into the Record

The Applicant does not object to the reopening of the record to allow the February 17, 2023, letter from the OAG into the record of this case. However, the Applicant strongly disagrees with FoF’s statement that the OAG letter concluded that: “The MOU was unlawfully entered into.” The OAG letter does not make this conclusion about the MOU between ANC 3/4G and Maret.

Motion to Stay

The Applicant opposes the Motion to Stay the issuance of the final written order, which has not been issued, in this case. On April 6, 2022, the Secretary to the BZA sent a letter to Counsel for the FoF which noted:

The **Motion to Stay** that you submitted on April 6, 2022 cannot be retained in the record as it is prematurely filed. While the Board of Zoning Adjustment voted today at the Public Meeting to approve the application, the decision will not become final until a written order is issued. Until then, there is nothing for the Board to stay. (Copy attached)

That same analysis is applicable today, as the Board of Zoning Adjustment has not issued the written order in this case. There is nothing for the BZA to stay. Therefore, the BZA should deny the FoF motion to stay the final decision in this case.

The Applicant is available to address these issues further at a regularly scheduled public meeting of the BZA.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Tummonds". The signature is written in a cursive style with a horizontal line underneath the name.

Paul Tummonds

Encl.

Certificate of Service

The undersigned hereby certifies that copies of the Applicant's Response to the FoF Motion to Reopen the Record and Stay the Final Decision and Order were delivered by electronic mail to the following addresses on March 2, 2023:

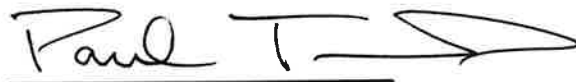
Jennifer Steingasser  
Karen Thomas  
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ANC 3/4 G  
[3G@anc.dc.gov](mailto:3G@anc.dc.gov)

Lisa Gore - Chair, ANC 3/4G  
[3G01@anc.dc.gov](mailto:3G01@anc.dc.gov)

Edward L. Donohue, Esq.  
c/o Friends of the Field  
[edonohue@DTM.law](mailto:edonohue@DTM.law)

A handwritten signature in black ink that reads "Paul Tummonds". The signature is written in a cursive style with a long horizontal stroke at the end.

Paul Tummonds

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Board of Zoning Adjustment**



April 6, 2021

Mr. Edward L. Donohue, Esq.  
Donohue Themak + Miller, PLC  
117 Oronoco Street  
Alexandria, VA 22314  
[EDONONUE@DTM.LAW](mailto:EDONONUE@DTM.LAW)

**Re: BZA Application No. 20643 of The Maret School**

Dear Mr. Donohue,

The **Motion to Stay** that you submitted on April 6, 2022 cannot be retained in the record as it is prematurely filed. While the Board of Zoning Adjustment voted today at the Public Meeting to approve the application, the decision will not become final until a written order is issued. Until then, there is nothing for the Board to stay.

If you have questions, please contact the Office of Zoning at 202-727-6311.

Sincerely,

**CLIFFORD W. MOY**  
Secretary, Board of Zoning Adjustment  
Office of Zoning

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