



**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.:** 20643

Motion of:  Applicant  Petitioner  Appellant  Party  Intervenor  Other \_\_\_\_\_

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

**Clarification/Reconsideration of the Conditions of BZA Order No. 20643.**

**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: All parties are being served with this Motion.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 

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 day of April, 2020

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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: Paul Tummonds

Address: 1999 K Street, NW Suite 500 Washington, DC 20006

Phone No.: 202-721-1157 E-Mail: ptummonds@goulstonstorrs.com

April 21, 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 –The Maret School (“Applicant”) Motion for Clarification/Reconsideration of Conditions of BZA Order No. 20643**

Dear Members of the Board:

The Applicant hereby files a Motion for Clarification/Reconsideration of the Conditions of BZA Order No. 20643, dated April 12, 2023. This Motion is made pursuant to Subtitle Y, Section 700.2 of the Zoning Regulations.

The Findings of Fact and Conclusions of Law and Opinion of BZA Order No. 20643 clearly and unequivocally address the application’s satisfaction of the Special Exception standards for the requested relief. This request relates solely to the Applicant’s interest that the proposed restrictions and limitations of the use and design of the athletic facilities delineated in the application are specifically articulated in the order so as to be fully enforceable. To ensure that the proposed restrictions and limitations of the use and design of the athletic facilities delineated in the application are clearly articulated as fully enforceable conditions of approval that can be easily discerned by the Office of the Zoning Administrator of the Department of Buildings, the Applicant requests the inclusion of additional conditions in BZA Order No. 20643.

The proposed additional conditions are enumerated in the attached Exhibit A. The information that is the basis for these proposed conditions was presented to the BZA in Exhibit No. 282E of the record in this case<sup>1</sup>. The Applicant is not submitting any new information into the record of this case. Including these additional conditions in BZA Order No. 20643 will

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<sup>1</sup> Exhibit 282E also includes some commitments and restrictions agreed to by the Applicant that may not be appropriate as conditions of approval of a BZA Special Exception application. The proposed conditions enumerated in Exhibit A are appropriate for inclusion in BZA Order No. 20643.

provide a clear framework for review by the Zoning Administrator or members of the surrounding community.

Please feel free to contact the undersigned if you have any questions or comments.

Sincerely,



Paul Tummonds

Encl.

**Certificate of Service**

The undersigned hereby certifies that copies of the Applicant's Motion for Clarification/ Reconsideration was delivered by electronic mail to the following addresses on April 21, 2023:

Jennifer Steingasser  
Karen Thomas  
Office of Planning  
[Jennifer.Steingasser@dc.gov](mailto:Jennifer.Steingasser@dc.gov)  
[Karen.Thomas@dc.gov](mailto:Karen.Thomas@dc.gov)

Aaron Zimmerman  
District Department of Transportation  
[Aaron.Zimmerman@dc.gov](mailto:Aaron.Zimmerman@dc.gov)

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 blue ink that reads "Paul Tummonds". The signature is stylized with a large, sweeping "P" and "T".

Paul Tummonds

## EXHIBIT A

The Applicant proposes the following conditions be added to BZA Order No. 20643:

5. Goal posts shall be removable and shall only be in place from August until the Applicant's last football game of the season.
6. The Applicant shall construct a security fence around the perimeter of the property and shall prohibit players and spectators from accessing the adjacent alleys or properties from the playing fields.
7. The protective netting shall be no taller than 30 feet, measured from the finished grade adjacent to its immediate location.
8. The Applicant shall use moveable bleachers at the multipurpose field. No bleacher set shall exceed 6 tiers. Spectators shall be encouraged to sit in the bleachers and discouraged from standing on the sidelines.
9. The Applicant shall not propose, nor shall it allow, the installation or use of lights to illuminate the multi-purpose athletic field or the baseball diamond. The fields shall not be used at any time after dusk. Down-lit security lighting shall be limited to the parking lot area. The lights shall be no higher than 12 feet and shall be fully down-lit. Lights shall use a combination of photocell and timer so that they are on only when dark and go off no later than 9:00 p.m. Security motion lights shall be permitted on the fieldhouse building.
10. The proposed scoreboard shall be limited to a height of no more than 20 feet, measured from the finished grade adjacent to its immediate location.
11. The Applicant shall only be permitted to lease the fields to youth sports organizations based in the District of Columbia and may charge a reasonable fee for use of the fields. For any leased use of the fields, the total number of players and coaches shall not exceed 60 at any time, with the exception of summer camps during which the total number of participants and staff shall not exceed 75 in any session, with at least 30 minutes between sessions.
12. Use of the athletic facilities shall not exceed the hours as set forth below:
  - i. Pre-Season (mid to late August):
    - Monday: 8:00 a.m. to 6:00 p.m.
    - Tuesday: 8:00 a.m. to 6:00 p.m.
    - Wednesday: 8:00 a.m. to 6:00 p.m.
    - Thursday: 8:00 a.m. to 6:00 p.m.
    - Friday: 8:00 a.m. to 6:00 p.m.
    - Saturday: No Use Scheduled by Applicant or its Lessees
    - Sunday: No Use Scheduled by Applicant or its Lessees

- Any District of Columbia holiday: No Use Scheduled by Applicant or its Lessees
- ii. **Fall Season (September through November):**
- Monday: 3:00 p.m. to 6:00 p.m. (Applicant Use) and 6:00 p.m. to 7:00 p.m. (Youth Sports Organizations)
  - Tuesday: 3:00 p.m. to 6:00 p.m. (Applicant Use) and 6:00 p.m. to 7:00 p.m. (Youth Sports Organizations)
  - Wednesday: 2:00 p.m. to 6:00 p.m. (Applicant Use) and 6:00 p.m. to 7:00 p.m. (Youth Sports Organizations)
  - Thursday: 3:00 p.m. to 6:00 p.m. (Applicant Use) and 6:00 p.m. to 7:00 p.m. (Youth Sports Organizations)
  - Friday: 3:00 p.m. to 7:00 p.m. (Applicant Use)
  - Saturday: 10:00 a.m. to 5:00 p.m. (Applicant or Youth Sports Organizations)
  - Sunday: 11:00 a.m. to 3:30 p.m. (Youth Sports Organizations)
  - Any District of Columbia holiday: No Use Scheduled by Applicant or its Lessees
- iii. **Winter Season (December to President's Day):**
- Monday: 4:00 p.m. to 5:30 p.m. (Youth Sports Organizations)
  - Tuesday: 4:00 p.m. to 5:30 p.m. (Youth Sports Organizations)
  - Wednesday: 4:00 p.m. to 5:30 p.m. (Youth Sports Organizations)
  - Thursday: 4:00 p.m. to 5:30 p.m. (Youth Sports Organizations)
  - Friday: 4:00 p.m. to 5:30 p.m. (Youth Sports Organizations)
  - Saturday: No Use Scheduled by Applicant or its Lessees
  - Sunday: No Use Scheduled by Applicant or its Lessees
  - December 24 through January 2 and any District of Columbia holiday: No Use Scheduled by Applicant or its Lessees
- iv. **Spring Season (after President's Day to mid-June)**
- Monday: 3:00 p.m. to 6:00 p.m. (Applicant Use) and 6:00 p.m. to 7:00 p.m. (Youth Sports Organizations)
  - Tuesday: 3:00 p.m. to 6:00 p.m. (Applicant Use) and 6:00 p.m. to 7:00 p.m. (Youth Sports Organizations)
  - Wednesday: 2:00 p.m. to 6:00 p.m. (Applicant Use) and 6:00 p.m. to 7:00 p.m. (Youth Sports Organizations)
  - Thursday: 3:00 p.m. to 6:00 p.m. (Applicant Use) and 6:00 p.m. to 7:00 p.m. (Youth Sports Organizations)
  - Friday: 3:00 p.m. to 7:00 p.m. (Applicant Use)
  - Saturday: 10:00 a.m. to 5:00 p.m. (Applicant or Youth Sports Organizations)
  - Sunday: 11:00 a.m. to 3:30 p.m. (Youth Sports Organizations)

- Any District of Columbia holiday: No Use Scheduled by Applicant or its Lessees
- v. Summer Season (Mid-June through Mid-August):
- Monday: 9:00 a.m. to 3:00 p.m. (Youth Sports Camps)
  - Tuesday: 9:00 a.m. to 3:00 p.m. (Youth Sports Camps)
  - Wednesday: 9:00 a.m. to 3:00 p.m. (Youth Sports Camps)
  - Thursday: 9:00 a.m. to 3:00 p.m. (Youth Sports Camps)
  - Friday: 9:00 a.m. to 3:00 p.m. (Youth Sports Camps)
  - Saturday: 10:00 a.m. to 5:00 p.m. (Youth Sports Organizations)
  - Sunday: No Use Scheduled by Applicant or its Lessees
  - July 4: No Use Scheduled by Applicant or its Lessees
13. The Applicant shall permit access to the athletic facilities for community use, which shall include use by residents of the surrounding neighborhood for general recreational activities, but not structured team sports during the following hours:
- i. Pre-Season (mid to late August):
- Monday: 6:00 p.m. to dusk
  - Tuesday: 6:00 p.m. to dusk
  - Wednesday: 6:00 p.m. to dusk
  - Thursday: 6:00 p.m. to dusk
  - Friday: 6:00 p.m. to dusk
  - Saturday: 8:00 a.m. to dusk
  - Sunday: 8:00 a.m. to dusk
- ii. Fall Season (September through November):
- Saturday: 8:00 a.m. to 10:00 a.m. and 5:00 p.m. to dusk
  - Sunday: 8:00 a.m. to 10:00 a.m. and 3:00 p.m. to dusk
- iii. Winter Season (December through February):
- Saturday: 8:00 a.m. to dusk
  - Sunday: 8:00 a.m. to dusk
- iv. Spring Season (March through June):
- Saturday: 8:00 a.m. -10:00 a.m. and 5:00 p.m. to dusk
  - Sunday: 8:00 a.m. - 10:00 a.m. and 3:00 p.m. to dusk
- v. Summer Season (July through Mid-August):
- Monday: 6:00 p.m. to dusk
  - Tuesday: 6:00 p.m. to dusk
  - Wednesday: 6:00 p.m. to dusk
  - Thursday: 6:00 p.m. to dusk
  - Friday: 6:00 p.m. to dusk



- Saturday: 8:00 a.m. to dusk
  - Sunday: 8:00 a.m. to dusk
14. The Applicant shall make the athletic facilities available for scheduled use by children attending ECC and District of Columbia Public School (DCPS) traditional and charter schools on weekdays during the academic school year between the hours of 9:00 a.m. and 3:00 p.m. on Monday, Tuesday, Thursday and Friday and between the hours of 9:00 a.m. and 2:00 p.m. on Wednesday. The Applicant shall limit any fees charged for such use by DCPS traditional and charter school students to the rates charged for athletic field use by DPR.
  15. The Applicant shall post on its website for the athletic facilities the hours of seasonal uses of the athletic field by the Applicant or others as set forth in these conditions and will provide a link to the Applicant's athletic schedule.
  16. On weekdays during the academic year, the parking lot and field gates shall be open and/or unlocked during daylight hours to allow access to authorized users. During periods when the athletic facilities are not scheduled for use, the Applicant may secure the parking lot and/or field gates. Community members shall be provided with a means to access the field (e.g., by a gate code) in the event the field gate is locked during a period of time when community use is permitted. During all times of the year, the parking lot and field gates shall be locked from dusk until dawn.