

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

|  |   |                        |
|--|---|------------------------|
| <b>APPEAL BY:</b>                              | ) |                        |
|  | ) |                        |
| Advisory Neighborhood Commission 3D and        | ) | BZA Case No. 20944     |
| Rohit Kumar,                                   | ) |                        |
| Appellants                                     | ) |                        |
|  | ) | Hearing Date: 7/2/2025 |
| Of the D.C. Department of Buildings' issuance  | ) |                        |
| of Building Permit Nos. B2303238, B2305686,    | ) |                        |
| B2310998, B2200423 and B2408898 <sup>1</sup> , | ) |                        |
| Appellee.                                      | ) |                        |
|  | ) |                        |

**APPELLANTS' MOTION TO DISMISS**

Advisory Neighborhood Commission 3D and Rohit Kumar (collectively, the “Appellants”) submit this Motion to Dismiss D.C Board of Zoning Adjustment (the “Board”) Case No. 20944 (“Motion”) currently calendared to be considered by the Board on July 2, 2025. Given that the issues with the building permits and construction identified by the Appellants in their comprehensive filings have been corrected, Appellants respectfully request that the Board dismiss the matter.

Consent to this Motion was sought and obtained from the Appellee, Department of Buildings (“DOB”).

Respectfully submitted on May 14, 2025

By: *Tracy L. Themak*

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<sup>1</sup> Most recent permit number

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**APPEAL BY:**

Advisory Neighborhood Commission 3D and  
Rohit Kumar,  
Appellants

BZA Case No. 20944

Hearing Date: 7/2/2025

Of the D.C. Department of Buildings' issuance.  
of Building Permit Nos. B2303238, B2305686,  
B2310998, B2200423 **and B2408898<sup>1</sup>**,  
Appellee.

**CERTIFICATE OF SERVICE**

A copy of the Motion to Dismiss was emailed on May 14, 2025 to Kathleen Beeton, Zoning Administrator, at [Kathleen.Beeton@dc.gov](mailto:Kathleen.Beeton@dc.gov), the Department of Buildings at [dobcs@dc.gov](mailto:dobcs@dc.gov), the Acting Director of DOB, Brian Hanlon, at [Brian.Hanlon@dc.gov](mailto:Brian.Hanlon@dc.gov), Assistant General Counsel for DOB, Hugh Mayo, at [Hugh.Mayo1@dc.gov](mailto:Hugh.Mayo1@dc.gov) and Chris Haresign at [Chris.Haresign@dc.gov](mailto:Chris.Haresign@dc.gov), Deputy General Counsel for DOB, Erik Cox, at [Erik.Cox@dc.gov](mailto:Erik.Cox@dc.gov), General Counsel for DOB, Esther Yong McGraw, at [Esther.McGraw2@dc.gov](mailto:Esther.McGraw2@dc.gov), the Permit Applicant/ Owner, Silverstone, at [Kagarwal@silverstoneig.com](mailto:Kagarwal@silverstoneig.com), the Owner's counsel, Don Padou, at [Padou@PadoulLaw.com](mailto:Padou@PadoulLaw.com), and the Office of Planning (Jennifer Steingasser) at [Jennifer.Steingasser@dc.gov](mailto:Jennifer.Steingasser@dc.gov) and [Planning@dc.gov](mailto:Planning@dc.gov).

Respectfully submitted,

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<sup>1</sup> Most recent permit number associated with the Project.