

SULLIVAN & BARROS, LLP

Real Estate | Zoning | Land Use | Litigation

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September 30, 2024

Via IZIS

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

Re: Applicant's Opposition to Party Status Request - BZA Case No. 21101

Dear Chairperson Hill and Members of the Board:

The Applicant is opposing the late-filed party status requests. The neighbors have been aware of this case for many months—this was filed in December 2023 and originally scheduled for May 1, 2024. It has now been postponed twice in order to continue to work with neighbors. The requesters cite the ANC's recent decision to support as the cause for a late filing of party status. The timing of an ANC vote should not create an exception for a late filing. Moreover, the concerns around parking and traffic are not necessarily unique to the adjacent property owners. Further, given that the concerns about traffic are not going to be supported by a competing traffic analysis, denial of party status will not prejudice the adjacent homeowners.

Of course, the Applicant is not opposed to the next-door neighbors perhaps having more time than a member of the general public. However, the specific granting of party status at this late date and time will prejudice Ms. Medrano and Ms. Encinas—the owners and operators of the property and building—as it will cause further delays if this is approved due to the need for the full order. The Applicant has spent months working with the community and ANC to get to a point of support. As we understand, a driver of the last-minute requests is that the ANC resolution does not include the history of discussions and concerns raised by neighbors. However, the Applicant has submitted significant documentation and conditions outlining all neighbor concerns and how they are being addressed (See Exhibits 24B, 24D, and 24E). For all these reasons, the Applicant respectfully requests that the Board deny formal party status but is not opposed to the next-door neighbors having additional time to present testimony than is typically permitted.

Respectfully Submitted,

Alexandra Wilson

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Board of Zoning Adjustment

District of Columbia

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EXHIBIT NO.47

CERTIFICATE OF SERVICE

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

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