

August 19, 2025

Via Email

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

Re: Applicant's Response to the Motion for Reconsideration - BZA Case No. 21119

Dear Chairperson Hill and Members of the Board:

The following is a brief response to the Motion for Reconsideration and the Motion for a Waiver of the 10-day deadline filed by the party opponent in the above-referenced case.

Both Ms. Leftwich and I were on the same distribution list from Ms. Mehlert's email dated Tuesday, July 29. That email contained three attachments: (1) the BZA and ZC Plans Modification Form, (2) the Attestation, and (3) the BZA Order. See Exhibit A, which shows that Ms. Leftwich received the Order on July 29. Accordingly, the Motion for Reconsideration should be dismissed as untimely.

On the merits, the party opponent fails to provide any reason why the Order is erroneous. She also fails to provide any instance of newly discovered evidence that would prompt re-opening the hearing. As a matter of law, her claim fails and should be denied. On a substantive note, her main objection seems to be that she, and her tenants, did not receive notice. She fully participated in the hearing process, including raising her notice issue. Regarding tenants, the only tenants required to receive notice are an applicant's tenants, pursuant to Y-300.8(g) and (h).

For these reasons, if not dismissed for untimely filing, the Motion for Reconsideration should be denied.

Respectfully Submitted,

Martin P Sullivan

Martin P. Sullivan, Esq.
Sullivan & Barros, LLP

CERTIFICATE OF SERVICE

I hereby certify that on August 19, 2025, an electronic copy of this submission was served to the following:

D.C. Office of Planning
Maxine Brown-Roberts
maxine.brownroberts@dc.gov

Advisory Neighborhood Commission 3B

ANC Office
3B@anc.dc.gov

Brian Turmail, Chairperson
3B02@anc.dc.gov

Gupi Howie, SMD
3B05@anc.dc.gov

Party Status in Opposition
Marla Leftwich
whitehavenwoods@yahoo.com

Respectfully Submitted,

Sarah Harkcom
Sarah Harkcom, Case Manager
Sullivan & Barros, LLP