

BZA Case No. 21157  
3428 O Street, NW

Party in Support **Motion to Strike** Page 1 of 3

November 8th, 2024

Submitted to the Board & Zoning Adjustment *via IZIS*

Christopher Itteilag  
3425 O St NW  
NW Washington, DC 20007

**Re: BZA Application No. 21157 — Party Status in Support’s Motion to Strike all new photographic and presentation evidence submissions from the record**

Dear Chairperson Hill and Boardmembers:

This motion is to deny and strike any and all new photographic and presentation format evidence that the parties in opposition are attempting to submit to the record. The BZA has made it clear to all parties that the record is closed and no new evidence is allowed to be submitted. Both the applicant and party in support have not attempted to submit any new photographic, video or presentation evidence respecting the BZA’s decision to close the record.

The photographic evidence Ms. Roth has attempted to submit to the record on November 6<sup>th</sup>, 2024 via her “Sample Photographic Evidence of Objectionable Conditions SINCE the last BZA hearing only” presentation includes yet another gross misrepresentation intended to distort and exaggerate the reality of what is actually happening on our block. On page 10, Ms. Roth includes a photograph of Call Your Mother patrons outside of my house in public space with the description “CYM Patrons eating at 3425 O Street (Chris Itteilag’s house). They were not given a map and never told not to sit in the neighborhood.” After checking my doorbell security camera, I discovered that these CYM patrons were in fact **not eating** anything, they merely stopped in front of my house in public space momentarily for a mere matter of seconds just to check something in their bag and then continued on their way. Please see the video for yourself at the following YouTube link:

<https://youtu.be/SnCfHiLW9FA>

Furthermore, according to the BZA’s email to Ms. Roth (see attached) on September 26<sup>th</sup>, 2024 from Tracey Rose, the BZA clearly explains and clarifies to Ms. Roth the process to reopen the record which was not followed by the parties in opposition attempting to submit additional photographic and presentation evidence to the record.

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Respectfully Submitted,

DocuSigned by:

*Christopher J. Verlag*



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**CERTIFICATE OF SERVICE**

I hereby certify that on November 8th, 2024, an electronic copy of this submission was served to the following:

D.C. Office of Planning  
Crystal Myers  
[crystal.myers@dc.gov](mailto:crystal.myers@dc.gov)

Advisory Neighborhood Commission 2E

Gwendolyn Lohse, Chairperson  
[2E06@anc.dc.gov](mailto:2E06@anc.dc.gov)

Paul Maysak, SMD  
[2E03@anc.dc.gov](mailto:2E03@anc.dc.gov)

Applicant

Martin Sullivan  
[msullivan@sullivanbarros.com](mailto:msullivan@sullivanbarros.com)

Party Status in Opposition

Melinda Roth  
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Julian Latimer Clarke  
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Respectfully Submitted,

DocuSigned by:

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