



October 1, 2024

Meridith Moldenhauer

Direct Phone 202-747-0763
mmoldenhauer@cozen.com

Madeline Shay Williams

Direct Phone 202-280-6508
madelinewilliams@cozen.com

Frederick L. Hill, Chairperson
Board of Zoning Adjustment
441 4th Street, NW, Suite 200S
Washington, DC 20010

**RE: BZA Case No. 21177 – 501 New York Avenue NW
Applicant's Cover Letter with Motion to Late File Expert Witness**

Chairperson Hill and Honorable Members of the Board:

The Applicant filed an application for special exception relief under 11 DCMR Subtitle X § 900.3 for the enlargement of the existing conforming large scale government use in the D-4-R zone. Due to changes in the Applicant's team as a result of scheduling conflicts, the Applicant would like to qualify Dana Foerster as an expert witness to provide testimony regarding the architectural plans filed at Exhibit 12.

Pete Obarowski of DLR Group, the architecture firm who prepared the architectural plans for the project in the subject BZA application, was anticipated to serve as the Applicant's expert witness on architecture. However, efforts to coordinate availability took longer than expected and resulted in Mr. Foerster needing to testify in place of Mr. Obarowski. Mr. Foerster is a senior project architect and designer with DLR Group and has over 15 years of architecture experience. A copy of Mr. Foerster's resume is attached at **Tab A**. Mr. Foerster is qualified to testify as an expert witness.

The Applicant has also enclosed a Motion to Late File, which is attached at **Tab B**. The hearing date is scheduled for October 9, 2024, with supplemental material due 30 days in advance on September 9, 2024. *See* Subtitle Y § 300.15. As such, this filing is made late due to changes in the Applicant's team.

We look forward to presenting this Application to the Board of Zoning Adjustment on October 9, 2024. Thank you for your attention to this matter.

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SINCERELY,

COZEN O'CONNOR

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Meridith Moldenhauer

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Madeline Shay Williams

Certificate of Service

I hereby certify that on this 1st day of October, 2024, a copy of this Cover Letter and Motion to Late File was served, via email, as follows:

D.C. Office of Planning
c/o Matthew Jesick
1100 4th Street SW, Suite E650
Washington, DC 20024
Matthew.jesick@dc.gov

D.C. Department of Transportation
c/o Erkin Ozberk and Noah Hagen
250 M Street SE
Washington, DC 20003
Erkin.ozberk1@dc.gov
Noah.hagen@dc.gov

Advisory Neighborhood Commission 2G
c/o Tracy L. Themak
Donohue, Themak + Miller, PLC
117 Oronoco Street
Alexandria, VA 22314
tthemak@dtm.law

Advisory Neighborhood Commission 6E
c/o Chris Hart, Chairperson and SMD 6E01
6E@anc.dc.gov
6E01@anc.dc.gov



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Madeline Shay Williams