



Government of the District of Columbia  
**Advisory Neighborhood  
Commission 6C**

June 3, 2025

Board of Zoning Adjustment  
of the District of Columbia  
441 4th Street, NW  
Suite 210-S  
Washington, DC 20001

Re: BZA 21295 (1151 Abbey Pl. NE)

Dear Members of the Board,

ANC 6C strongly opposes the applicants' latest motion to submit untimely filings into the record.

Under the regulations, every applicant must submit complete and accurate materials into the record at the time the application is filed. *See* 11 DCMR Y-300.8(b) (requiring a plat showing the boundaries and dimensions of existing and proposed structures) & (c) (architectural drawings "in sufficient detail to clearly illustrate any proposed structure to be erected or altered"). Naturally, good-faith errors occur from time to time and applicants should be afforded a reasonable opportunity to make timely corrections.

When an applicant makes repeated, large-scale revisions allegedly correcting prior mistakes, however, the Board should not tolerate such gamesmanship. That is especially true where the untimely submissions appear mere days before the public hearing.

A chronology of the submissions in this case makes clear the applicants' egregious conduct:

- **Jan. 30 to Feb. 25:** The applicants file a plat; a burden of proof statement; architectural drawings; a ZA memo; and photographs.
- **Mar. 5-13:** The applicants file, among other documents, new photos; a new ZA memo with separate Notes and Computations sheet; and a new burden of proof statement. Each of these supersedes the corresponding document in the first-round submission.

- **May 5-7:** After ANC representatives point out numerous misstatements and inconsistencies in the second round of documents, the applicants submit
  - revised photos (Exhibit 24), their third set;
  - a new plat (Exhibit 25), their second;
  - new architectural drawings (Exhibit 26), their second set; and
  - a **fourth** set of photos (Exhibit 27).
- **May 15:** Not yet content, the applicants move the Board to accept untimely filing of
  - a new burden of proof statement (Exhibit 30A), their **third**;
  - an amended Notes and Computations Sheet (Exhibit 30B), their second;
  - a new plat (Exhibit 30C), their **third**; and
  - new architectural drawings (Exhibit 30D), their **third**.

Despite qualms about the accuracy of even these documents, ANC 6C consents to their filing, with the exception of the improper Notes & Computations.

- **May 22-27:** Applicants submit still more untimely materials, including a new ZA memo (Exhibit 34) that includes revised Notes and Computations, their **third**. No motion to accept untimely filing accompanies these materials.

Now, despite this lengthy history, after the OP report has been submitted, and one week before the hearing, the applicants ask the Board to accept even more untimely filings, including their **fourth** plat.

Enough is enough. ANC 6C has already invested substantial time and energy in analyzing the record up through Exhibit 40. Allowing the applicants to submit new materials into the record, especially where those documents supersede existing exhibits, would unfairly prejudice and burden ANC 6C. The “good cause” required by section Y-300.17 to justify late filings is wholly lacking here.

The Board should deny the motion and strike all of applicants’ untimely submissions after Exhibit 31.

Sincerely,



Mark Eckenwiler  
Vice-Chair, ANC 6C  
(as authorized representative)

cc: Chris Martinez