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November 4, 2025

BY EMAIL TO BZASUBMISSIONS@DC.GOV

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

Re: Party in Opposition's Request to Submit an Untimely Filing for Continued Hearing;
BZA Case No. 21333 for 409 East Capitol Street, SE

Dear Chairperson Hill and Members of the Board,

Please consider and accept the enclosed Form 153, Request to Submit an Untimely Filing, for purpose of providing a list of witnesses for the continued hearing on the above referenced Case.

Sincerely,

Lyle M. Blanchard

Enclosures

Board of Zoning Adjustment
District of Columbia
CASE NO. 21333
EXHIBIT NO. 45



BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT FOR THE DISTRICT OF COLUMBIA



FORM 153 – REQUEST TO ACCEPT AN UNTIMELY FILING OR TO REOPEN THE RECORD

THIS FORM IS FOR NON-PARTIES ONLY. IF YOU ARE A PARTY, PLEASE FILE A FORM 150 – MOTION.

Before completing this form, please review the instructions on the reverse side. Print or type all information unless otherwise indicated. All information must be completely filled out.

CASE NO.: 21333

I, Lyle Blanchard as agent for the Party in Opposition hereby request the following relief:

☒ Accept an untimely filing of witness list for Continued BZA hearing

☐ To reopen the record to accept _____

Points and Authorities:

Accept an untimely filing: Please state each and every reason you believe the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your request to accept an untimely filing, including relevant references to the Zoning Regulations or Map. If you require more space, please use a separate piece of paper.

Reopen the Record: Please state each and every reason you believe the ZC or BZA should grant your request to reopen the record, including relevant references to the Zoning Regulations or Map. **The document(s) that you are requesting the record to be reopened for must be submitted separately from this form (see instructions). No substantive information is to be included on this form.**

Please see the attached Witness List.

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (D.C. Official Code § 22-2405)

Date: November 4, 2025

Signature:

Name: Lyle Blanchard

Address: 801 17th Street, NW, Suite 1000, Washington, DC 20006

Phone No(s): (202) 452-1400

E-Mail: lmb@gdlaw.com

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

Party in Opposition Witness Information for 11-5-25 Hearing

1. Frank Snellings and Mary Landrieu, owners of 405-407 E. Capitol Street, SE will testify about the continued negative impacts the increase in lot occupancy and massing of the adjacent 409 East Capitol Street property and their opposition to the commercial use variance.
2. Josh Thayer, former tenant of apartment at 409 Capitol Street, SE will testify on the timing of the discontinued dry cleaner use at the property.
3. Helen Haislmeier, to testify about the revised plans and continued impact on the privacy of her property.

The total amount of time requested to present this Party Opponent's case is approximately 20 minutes.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Party in Opposition's Request to Submit an Untimely Filing for Continued Hearing and its Enclosures were served on this 4th day of November, 2025, by email to the following:

ANC 6B, its Chairperson, Edward Ryder, and also to:
Commissioner Gerald Sroufe, ANC 6B02

6B@anc.dc.gov

6B08@anc.dc.gov

6B02@anc.dc.gov

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Advisory Neighborhood Commission 6C (across the street)

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Karen Wirt, Chairperson & SMD
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Lyle M. Blanchard