

INFORMATION

A motion is a procedural device requested by a party to the case to bring a limited, contested issue before the Zoning Commission (ZC) or the Board of Zoning Adjustment (BZA) for decision. A party may submit a motion at any point; however, it is recommended that motions be submitted ahead of time for consideration by the ZC or BZA.

Use this form if you are a party to a case and you would like to request that the ZC or BZA entertain your motion. For example:

- a). Motion to continue or dismiss; or
- b). Motion to reopen a closed record to accept a document.

A motion will be entertained by the ZC or BZA at a meeting or as a preliminary matter at a hearing. At that time a decision will be rendered. Please note, in the case of a request to reopen the record, pursuant to 11 DCMR Subtitle Z § 602.6 and Subtitle Y § 602.6, the request will be presented to the Chair for consideration. The request must demonstrate good cause and the lack of prejudice to any party. If granted, the materials shall be entered into the record.

INSTRUCTIONS

Any Motion, as provided by the District of Columbia Zoning Regulations (11 DCMR), that is not completed in accordance with the following instructions shall not be accepted:

1. Forms must be completely filled out. All information shall be furnished by the Maker of the Motion or Request. If additional space is necessary, use separate sheets of 8 ½" x 11" paper to complete the form (drawings and plans may be no larger than 11" x 17").
2. On this sheet and/or on a separate sheet of 8 ½" x 11" paper, state:
 - Case Number;
 - Name of Movant;
 - The relief you are requesting;
 - Each and every reason you believe you are entitled to relief and why the ZC or BZA should grant your motion, including relevant references to the Zoning Regulations or Map;
 - Whether consent was obtained by other parties;
 - Certificate of Service;
 - Signature and Date; and
 - Contact Information.
3. Submit the required Form 150 to the Office of Zoning using:
 - The Interactive Zoning Information System at www.dcoz.dc.gov for electronically filed cases;
 - In person or by US mail at 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001; or
 - By email to zsubmissions@dc.gov for the ZC or bzasubmissions@dc.gov for the BZA.
4. Pursuant to 11 DCMR Subtitle Z § 407.3 and Subtitle Y § 407.3, at the time of filing, Movants of Motions are required to serve all Applicants, Petitioners, Appellants, Parties, and/or Intervenors, and the Office of Planning in the above-referenced ZC or BZA case via either mailed letter, hand-delivery, or electronic mail.



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.

Board of Zoning Adjustment

District of Columbia Office of Zoning

441 4th Street, N.W., Ste. 200 S, Washington, D.C. 20001

(202) 727 6311 * (202) 727 6072 fax * www.dcoz.dc.gov * dcoz@dc.gov

District of Columbia

CASE NO.21335

EXHIBIT NO.21



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



FORM 150 – MOTION FORM

THIS FORM IS FOR PARTIES ONLY. IF YOU ARE NOT A PARTY PLEASE FILE A
FORM 153 – REQUEST TO ACCEPT AN UNTIMELY FILING OR TO REOPEN THE RECORD.

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.:

Motion of:

☐ Applicant

☐ Petitioner

☐ Appellant

☐ Party

☐ Intervenor

☐ Other _____

PLEASE TAKE NOTICE, that the undersigned will bring a motion to:

Points and Authorities:

On a separate sheet of 8 ½" x 11" paper, state each and every reason why the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your motion, including relevant references to the Zoning Regulations or Map and where appropriate a concise statement of material facts. If you are requesting the record be reopened, the document(s) that you are requesting the record to be reopened for must be submitted separately from this form. No substantive information should be included on this form (see instructions).

Consent:

Did movant obtain consent for the motion from all affected parties?

☐ Yes, consent was obtained by all parties

☐ Consent was obtained by some, but not all parties

☐ No attempt was made

☐ Despite diligent efforts consent could not be obtained

Further Explanation: _____

CERTIFICATE OF SERVICE

I hereby certify that on this

D

D

day of

Month

,

Y

Y

Y

Y

I served a copy of the foregoing Motion to each Applicant, Petitioner, Appellant, Party, and/or Intervenor, and the Office of Planning

in the above-referenced ZC or BZA case via:

☐ Mailed letter

☐ Hand delivery

☐ E-Mail

☐ Other _____

Signature:

Print Name:

Address:

Phone No.:

E-Mail:

137 National Plaza, Suite 300
National Harbor, MD 20745
(240) 397-3625

Traci R. Scudder
Managing Counsel
Admitted: MD

tscudder@reesbroome.com

July 8, 2025

Via email to: bzasubmissions@dc.gov

District of Columbia Office of Zoning
441 4th Street, NW, Suite 200-S
Washington, D.C. 20001

Re: BZA Case No. 21335
2016 1st Street, NW, Washington, DC 20001

Dear Sir or Madam:

I hereby move that the Board of Zoning Adjustment permit the Applicant, Ms. Pam Wilson, to file supplemental materials after the July 9, 2025 deadline for her July 30, 2025 hearing before the Board regarding the application for building located at 2016 First Street NW (the “Property”).

Pursuant to Subtitle Y §101.9, the Board of Zoning Adjustment may, for good cause shown, waive any procedural requirement where doing so will not prejudice the rights of any party and is not otherwise prohibited by law.

In this case, there is good cause: the Applicant is awaiting an updated Referral Memorandum, which – given the nearness of the deadline on July 9 – is unlikely to be ready before the deadline. She has already, however, prepared updated application materials following coordination with the Office of Planning and the Zoning Administrator, and is prepared to proceed with the case immediately upon receipt of the updated Referral Memorandum.

The application seeks, in summary, to validate the existence of a third residential unit, located on the first floor of the Property, although the building is zoned for only up to 2 residential units.

On May 9, 2025, the Applicant received a Referral Memorandum that indicated that she needed to file a request for a use variance on the Property to allow for use of the unit, which was previously approved for a home office use, to be used as a residential unit. This same Referral Memorandum indicated that the Applicant also needed a special exception to reduce the number of parking spaces, as the reviewer believed that there was not sufficient space to hold two cars side-by-side at the rear of the property. The Applicant filed for the relief indicated that same day.

On June 18, Matthew Jesick of the Office of Planning reached out to the Applicant’s counsel and indicated that this property required different relief, and so required an updated Referral Memorandum.

July 8, 2025

Page 2

He stated that the Property should be brought into conformance with the Zoning Ordinance by approval of a special exception to convert the building into an “apartment house” under Subtitle U §320.2, and that this request would need to include a request for an area variance from Subtitle U §320.2(c) to waive one of the requirements for conversion to an apartment house. He affirmed that the layout of the parking at the rear likely required a special exception pursuant to Subtitle C §703.2.

Mr. Jesick reached out to the Zoning Administrator’s office, and has been in regular contact with them regarding this matter. While awaiting the formal documentation, the Applicant updated the Burden of Proof statement to align with the code sections indicated by Mr. Jesick.

To date, unfortunately, an updated Referral Memorandum is not yet available.


The Applicant will face significant hardship if she must postpone her hearing date into the fall, and she is optimistic that an updated Referral Memorandum will be prepared and submitted ahead of the July 30 hearing date. As such, the Applicant has provided a resubmission that addresses the relief as indicated by Mr. Jesick. The Applicant anticipates that this resubmission will be consistent with an updated Referral Memorandum, and makes this request only in the event the Office of Planning requires supplemental materials.

The Applicant therefore requests that she be permitted to submit supplemental materials, if any become necessary upon receipt of the updated Referral Memorandum, between July 9 and July 30.

Sincerely,

REES BROOME, PC

By:



Traci R. Scudder