



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.: 21366

Motion of: ☒ Applicant ☐ Petitioner ☐ Appellant ☐ Party ☐ Intervenor ☐ Other _____

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

Accept an untimely filing of revisions to: zoning self certification, plat, burden of proof and plans due to ongoing discussions with and recommendations from the Office of Planning.

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: The following individuals were emailed to request consent on October 9, 2025:

Dave Wethington, Commissioner, ANC 6A-05; Chair, ANC 6A

Brett Astmann, Commissioner, ANC 7D07

Brian Alcorn, Commissioner, ANC7D08; Chair, ANC 7D

CERTIFICATE OF SERVICE

I hereby certify that on this 1st 0th day of October Month, 2nd 0th 2nd 5th

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: Joseph Boyette

Address: 1317 D St NE

Phone No.: 202.455.6237

E-Mail: joe@oldcitydesign.us

Board of Zoning Adjustment
District of Columbia
CASE NO. 21366
EXHIBIT NO. 33



OLD CITY DESIGN STUDIO

Form 150 Points and Authorities

On October 3rd, I received an email from Matthew Jessick, Development Review Specialist at the Office of Planning. His review revealed three issues with our BZA submittal. October 3rd was 33 days before our hearing date, and despite best efforts to revise the documents immediately, further conversations were required to understand a path forward. The revisions required relate to the following three elements of the application:

1. The rear yard setback should be measured to the face of the deck, and not the face of the building, as the deck is more than four feet above grade. This requires a revision to the zoning self certification, the plat and the plans. No new relief is required as a result of this revision to the documents.
2. The size of the accessory building requires special exception relief as it is larger than the 450 square foot minimum prescribed in Subtitle E, Section 5003. The Owner decided he wanted the building to have a brick facade. In order to make the interior spaces work, the footprint was expanded. A brick building has thicker walls than a frame building. A frame building at 450 square feet has the nearly the same interior volume as a brick building at 474.5 square feet. This requested relief requires a revision to the zoning self certification, and the burden of proof.



OLD CITY DESIGN STUDIO

3. The accessory building does not comply with Subtitle U, Section 301.1 (c)-(g) because a newly built accessory building cannot have a dwelling unit. This would require a variance, and we are not seeking a variance, so the drawings have been modified to show space on the second level of the garage that is accessory to the home. The property will remain a single family residence under this application. This requires a revision to the drawings, the burden of proof, the plat, the statement of intended use.

Sincerely,

Joseph Boyette, AIA