



**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.: 19-23

I, Jordan P. Cox hereby request the following relief:

Accept an untimely filing of Party Status Request (Form 140)

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 Attachment 1

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:	January 7, 2020	Signature:	<i>Jordan P. Cox</i>
Name:	Jordan Cox		
Address:	1025 First ST SE, Unit 1111, Washington, DC 20003		
Phone No(s):	281-851-3232	E-Mail:	JordanCox72@gmail.com

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

ZONING COMMISSION
District of Columbia
CASE NO. 19-23
EXHIBIT NO.13

Attachment 1 (Form 153 – Request To Accept An Untimely Filing Or To Reopen The Record)

Jordan Cox
1025 First ST SE, Unit 1111
Washington, D.C. 20003

January 7, 2020

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

Dear Members of the Zoning Commission,

My name is Jordan Cox and I am a resident at 1025 First ST SE, the Velocity Condominium building. I respectfully request the Zoning Commission accept my untimely filing seeking party status in Case No. 19-23. As you know, this case concerns the developer of 80 M ST SE, Wells REIT 80 M Street LLC, requesting approval from the DC Zoning Commission to renovate 80 M St SE and to add an additional two stories and a penthouse space to the existing structure. This is the building that is immediately across the street from the Velocity, on the south side of L Street, and the additional proposed stories would be directly across from my family's residence, as well as many of my neighbor's residences.

There are several reasons why I was unable to file as a party in a timely fashion. I have never participated in a zoning matter before, and am unaware of the requirements associated with the hearing and zoning process. In this matter, I am acting as an individual homeowner and lack the resources and tools that might be available to those who are more familiar with zoning matters in DC. I did not try to request party status earlier, because I did not know of the requirement to register as a party opposed to the project, even though I am directly and negatively impacted by the proposal. At the point that I became aware of the requirement to register as a party opposed to the project, for the purposes of actively participating in the Zoning Commission hearing, I worked diligently to fill out the necessary registration forms, which took a considerable amount of time as I am engaging in this matter without legal counsel.

I also did not see the notice of the Zoning Commission hearing until early January. I understand green notices were posted on the sides of the ground floor of 80 M ST SE, however I don't typically walk close to 80 M ST SE on a normal day, as I typically walk north on First street on my daily commute to work. I also do not recall having received any notice of this project, as an individual owner of a condominium unit at 1025 First ST SE, either through physical or electronic mail. According to the public filing of the Applicant, specifically exhibit 9, the Applicant claims to have engaged with the residents of the Velocity, including a meeting with building residents on December 12, 2019. I do not recall receiving an invitation or notice of such a meeting, or any meeting with the Applicant. Had I known about that meeting, or any other similar meeting, I would have attended and, having learned more about the project, familiarized myself with the requirements associated with the Zoning Commission hearing. The Applicant also mentions that the matter was brought up at the Advisory Neighborhood

Jordan Cox

Commission (ANC) 6D meeting in October and December. I have a fulltime job that often requires long hours, and as someone who has never participated in a zoning matter before, or any matter concerning the ANC, I was unaware that the ANC meeting was occurring, or that it would include this matter, which is of great importance to me.

I would be directly impacted by this proposed project because the additional stories and habitable penthouse would likely substantially reduce the light that reaches many of the residential units at 1025 First ST SE, the building I live in, potentially change the look and feel of the area, potentially reduce the privacy of my residence, and likely reduce the amount of light that reaches the public areas around 1025 First ST SE, including the intersection at First and L ST SE.

I understand this is an untimely filing, however as a DC resident who would be uniquely and negatively impacted by this proposal, I would ask for leniency on behalf of the Commission, and ask for this filing to be accepted. I have a full time job that often requires long hours, and without counsel or any experience with the zoning permitting process, I am doing what I can to register opposition to this project, and I believe my voice should be heard. I thank the Commission for considering my request.

Sincerely,

Jordan Cox

Jordan Cox

Certificate of Service

The undersigned hereby certifies that copies of the above Form 153 and Attachment 1 were delivered by electronic mail to the following electronic mail addresses on January 7, 2020.

Elisa Vitale (Elisa.Vitale@dc.gov)

DC Office of Planning

Aaron Zimmerman (aaron.zimmerman@dc.gov)

Anna Chamberlin (anna.chamberlin@dc.gov)

District Department of Transportation

ANC 6D (6d@anc.dc.gov)

Anna Forgie, ANC 6D02 (6D02@anc.dc.gov)

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Goulston & Storrs, Counsellors at Law, representing the Applicant, Wells REIT II 80 M Street, LLC



Jordan Cox