



**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.:

I, _____ hereby request the following relief:

- Accept an untimely filing of _____
- 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.**

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:		Signature:	<i>Mary Carolyn Johnson</i>
Name:			
Address:			
Phone No(s):		E-Mail:	

ZONING COMMISSION
District of Columbia
CASE NO. 20-14

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

**ATTACHMENT TO FORM 153 MOTION TO FILE
PARTY STATUS REQUEST LATE IN Z.C. CASE NO. 20-14**

For 1101 South Capitol LLC
c/o The Ruben Companies
600 Madison Avenue
New York, New York 10022-1615

Statement in Support of Request for Additional Time to File Party Status Request

1101 South Capitol, LLC (“1101 Owner”) is the owner of Lot 47 in Square 649 (“1101 Property”), which abuts the proposed development at 5 M Street, S.W. (“5M Project”) on the west (at Lot 45) and south (at Lot 48). 1101 Owner is generally supportive of the 5M Project. However, 1101 Owner learned only last week, after a presentation to Advisory Neighborhood Commission 6D on October 27, 2020, that the plans for the 5M Project have been revised in a manner that would permanently and adversely affect the use and future development of the 1101 Property. The revised plans now indicate that the east wall of “Phase B,” rather than being set back from the mutual property line, will extend over the private drive at L Street that is proposed to be shared between the 5M Project and 1101 Property. In addition, the width of the proposed private drive has been reduced from 22 feet to 20 feet. These changes will adversely impact any future development on the 1101 Property, particularly with respect to access, parking and loading.

1101 Owner could not have anticipated these adverse revisions to the proposed plans of the 5M Project prior to the deadline for party status on September 17. The proposed revisions were made public only last week. While the 1101 Owner has engaged in discussions with the applicant in Z.C. Case No. 20-14 and hopes that the issues identified above can eventually be resolved, it is imperative that the 1101 Owner be granted additional time to request party status so that it may adequately protect its interests in the proceedings before the Zoning Commission.