

**Board of Zoning Adjustment
Case No. 19751**

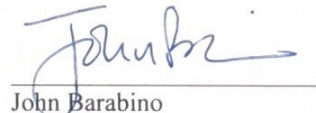
**NOTICE OF JOINDER
IN MOTION TO DISMISS OR,
IN THE ALTERNATIVE,
TO POSTPONE**

I, John Barabino, own, and reside in, the home at 2716 36th Place, NW, Washington, DC 20007, which is within two hundred (200) feet of lot 0812 in square 1935. Please take notice that I join the Massachusetts Avenue Heights Citizens Association's (MAHCA) motion to dismiss BZA Case No. 19751 or, in the alternative, to postpone the BZA hearing scheduled for September 26, 2018 for Case No. 19751.

MED Developers, LLC's application is incomplete and inaccurate because it does not include lot 0812 in square 1935 as a subject property, thereby reducing the size of the subject property by roughly two-thirds (*See* MED Developers, LLC's Exhibit 8 in IZIS "List of Names and Mailing Addresses of Property Owners within 200 Feet"). MED Developers, LLC did not include my property as being within two hundred (200) feet of the subject property. As a result of the mistake in MED Developers, LLC's application, the BZA did not provide me, or the other property owners within two hundred (200) feet of lot 0812, notice of the BZA hearing in accordance with Subtitle Y §402.1(d). The Office of Zoning should not have processed MED Developers, LLC's incomplete and inaccurate application because the application does not meet the requirements of Subtitle Y §300.

Accordingly, for the reasons set forth above, as well as for all the reasons stated in MAHCA's Motion to Dismiss or, in the Alternative, to Postpone, I respectfully request the BZA dismiss Case No. 19751. In the event the BZA does not dismiss Case No. 19751, I respectfully request the BZA postpone the September 26, 2018 BZA hearing for Case No. 19751 until MED Developers, LLC resubmits a correct application and the BZA provides the legally required 40 day notice to all property owners within two hundred (200) feet of all lots included in the subject property.

Dated September 24, 2018



John Barabino
2716 36th Place, NW
Washington, DC 20007