



**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 1/2" 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 day of ,

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:

Board of Zoning Adjustment
 District of Columbia
 CASE NO.20242
 EXHIBIT NO.36



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May 19, 2020

VIA IZIS

D.C. Board of Zoning Adjustment
441 4th Street, N.W.
Suite 200S
Washington, DC 20001

Re: Case No. 20242 – IDI Water Street, L.C. (the “Applicant”) Application for Special Exception and Variance for Square 1183, Lot 813 (the “Property”) – Request for Waiver

Dear Members of the Board:

In advance of the June 3, 2020 virtual public hearing on the above referenced application, the Applicant hereby requests a waiver of the posting and maintenance requirements set forth in Subtitle Y §§ 402.3-402.10 of the Zoning Regulations. The Applicant notes that prior to the rescheduled hearing date, the Applicant posted the required notice at the Property in advance of the originally scheduled April 1, 2020 hearing, in accordance with Subtitle Y §402.3. The affidavit of this posting can be found at Exhibit 32 of the record in this case.

Due to the extraordinary circumstances associated with Covid-19, the Applicant is unable to safely post and maintain notices at the Property in advance of the rescheduled June 3, 2020 hearing date. The District of Columbia is currently under a “stay-at-home” order through June 8, 2020. The Applicant and its counsel do not have access to the materials required for the posting of the notice, and since the District does not yet have remote notarization protocols in place, the Applicant cannot safely notarize the affidavit of posting. Therefore, the Applicant respectfully requests a waiver of the posting and maintenance requirements set forth in Subtitle Y §§ 402.3-402.10.

Sincerely,

____s/____
John T. Epting

____s/____
Jennifer Logan

Certificate of Service

The undersigned hereby certifies that copies of the foregoing document will be sent by email to the following addresses on May 19, 2020.

Jennifer Steingasser (3 copies)
Joel Lawson
Stephen Mordfin
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s/
Jennifer Logan