

October 8, 2020

via IZIS

Board of Zoning Adjustment  
441 4<sup>th</sup> Street, NW  
Suite 210S  
Washington, DC 20001

**Re: BZA Case No. 20289 –400 Seward Square, SE- Form 150 Explanation.**

Dear Members of the Board:

I am writing on behalf of the Applicant in the above-referenced case. On October 6, 2020, the Applicant was informed that the Office of Zoning did not send out the public hearing notices to the lessees of 400 Seward Square, SE, as required by Y-402.1(e). The Office of Zoning conferred with the Office of the Attorney General and promptly sought to correct the oversight once it was identified by mailing out the notices. The Office of Zoning requested that the Applicant separately send the public hearing notice to the lessees. As stated in the Applicant's Affidavit included with this submission, an authorized representative of the Applicant mailed the public hearing notices to the residents on October 7, 2020. He also notified the lessees via email. Accordingly, the Applicant requests that the Board waive the notice requirements of Subtitle Y 402.1(e) for the following reasons:

1. Constructive notice had been given through publication in the register and posting on the Property.
2. The Office of Zoning promptly sought to correct the oversight once it was identified and mailed the notices to the lessees.
3. The Applicant has provided additional notice to the affected tenants via email and mail.

Thank you for considering this request.

Sincerely,



Martin P. Sullivan, Esq.  
Sullivan & Barros, LLP

BZA Case No. 20289  
October 8, 2020

**CERTIFICATE OF SERVICE**

I hereby certify that on October 8, 2020, an electronic copy of this Form 150 Explanation was served on the following on behalf of the Applicant, 400 Seward Square LLC.

Brandice Elliott  
Office of Planning  
[brandice.elliott@dc.gov](mailto:brandice.elliott@dc.gov)

Advisory Neighborhood Commission 6B

ANC Office  
[6B@anc.dc.gov](mailto:6B@anc.dc.gov)

Brian Ready, Chairperson  
[6B03@anc.dc.gov](mailto:6B03@anc.dc.gov)

Gerald Sroufe, SMD  
[6B02@anc.dc.gov](mailto:6B02@anc.dc.gov)

Sincerely,

*Martin P Sullivan*

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Sullivan & Barros, LLP