



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.: 20636

I, John D. Fox hereby request the following relief:

- Accept an untimely filing of Request for Party Status at June 15, 2022 hearing Case No. 20636
 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 had filed on February 16, 2022 a Form 140 Party Status Request related to Case No. 20636 to speak as President of the Foxhall Crescents Homeowners Association (FCHOA) and to speak in my own capacity as a member of the HOA and as a resident of the neighborhood. The Applicant's attorney has challenged my Party Status because I resigned as FCHOA President, as I had indicated weeks ago to Mr. Robert Reid of the BZA, and because my property is not within 200 feet of 4509 Foxhall Crescents, the property of concern in Case No. 20636. I believe there is no requirement that one has to live within 200 feet of the affected property to have Party Status and my continued membership in FCHOA and my residence in the neighborhood mean that, contrary what is asserted by the Applicant's attorney, I will experience "distinct or unique impacts associated with the construction of a home on the subject property." In any event, I am filing a New Form 140 to indicate that, in addition to what is included in my original Form 140, I will be speaking a group of other members of FCHOA and residents of the community, some within 200 feet of the subject property.

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)

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|---------------------|--|-------------------|------------------|
| Date: | May 23, 2022 | Signature: | |
| Name: | John D. Fox | | |
| Address: | 4504 Foxhall Crescents, Washington, DC 20007 | | |
| Phone No(s): | 301-908-2509 | E-Mail: | Foxyjd@gmail.com |

Board of Zoning Adjustment
District of Columbia

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.
EXHIBIT NO. 45