



**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

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 day of Month,

Y	Y	Y	Y
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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: *Cynthia A. Giordano*

Print Name:

Address:

Phone No.:

E-Mail:

Board of Zoning Adjustment
 District of Columbia
 CASE NO.20636
 EXHIBIT NO.48

May 24, 2022

VIA IZIS

District of Columbia Board of Zoning Adjustment
441 4th Street, NW, Suite 210S
Washington, DC 20001

**Re: Motion to Deny Party Status Request of John Fox– BZA Case No. 20636
("Application"); 4509 Foxhall Crescent N.W. (Square 1397, Lot 960)**

Dear Members of the Board of Zoning Adjustment:

On behalf of the Applicant, we oppose Mr. John Fox's new party status request. First, his request is extremely late. Second, as indicated previously, his home at 4504 Foxhall Crescents Drive, is located in excess of 200 feet of the subject property and as such, is unlikely to experience any distinct or unique impacts associated with the construction of a home on the subject property.

His new claim of impact as a homeowner in Foxhall Crescents development and as a member of the Foxhall Crescents Homeowners Association ("FCHOA") does not constitute a distinct or unique interest. Those interests are no different than any of the other 25 homeowners at Foxhall Crescents who are also members of FCHOA. Further, the President of the FCHOA has requested party status to represent those interests.

Finally, if the individuals he seeks to serve as a spokesperson for want to assert a qualifying interest to warrant party status, they need to request party status.

Thank you in advance for your consideration of this submission.

Sincerely,



Cynthia A. Giordano

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that, on May 24, 2022, a copy of the foregoing Motion to Deny Party Status Request was served upon the following:

1. **D.C. Office of Planning**
Matthew Jesick, AICP, Development Review Specialist
via email: matthew.jesick@dc.gov

2. **District Department of Transportation**
Mr. Jonathan Rogers, DDOT
Mr. Aaron Zimmerman, DDOT
via email: jonathan.rogers2@dc.gov
 aaron.zimmerman@dc.gov

3. **Neighborhood Commission 3D**
via Email: 3D@anc.dc.gov

4. **Advisory Neighborhood Commissioner SMD Chuck Elkins**
via Email: 3D01@anc.dc.gov

5. **Advisory Neighborhood Commissioner SMD Jason Rao**
Via Email: 3D06@anc.dc.gov

6. **Andrew Wong**
via Email: Andy.wong2@yahoo.com

7. **John D. Fox**
via Email: foxyjd@gmail.com



Cynthia A. Giordano
Saul Ewing Arnstein & Lehr, LLP