



**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.:** 20636

**Motion of:**  Applicant  Petitioner  Appellant  Party  Intervenor  Other \_\_\_\_\_

PLEASE TAKE NOTICE, that the undersigned will bring a motion to:

Applicant's Motion to deny the party status request of Mr. John Fox.

**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: Insufficient time to obtain consent.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 20 4 day of May Month, 2Y 0Y 2Y 2Y

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:** Cynthia A. Giordano

**Address:** 1919 Pennsylvania Ave., NW, Ste.550, Washington, DC 20006

**Phone No.:** 202-295-6612

**E-Mail:** cynthia.giordano@saul.com

Board of Zoning Adjustment  
District of Columbia  
CASE NO.20636  
EXHIBIT NO.50

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



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Cynthia A. Giordano  
Saul Ewing Arnstein & Lehr, LLP