



**BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT OF 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.: 14-07

I, Karen Wirt on behalf of ANC 6C hereby request the following relief:

- Accept an untimely filing of _____
- To reopen the record to accept Updated Form 129 for testimony from ANC 6C (sent to zcsubmissions@dc.gov on 4/15/2015)

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 Zoning Commission (ZC) or Board of Zoning Adjustment (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. No substantive information should be included on this form.**

The applicant responded to some of the items, but not all, addressed by ANC 6C in our previous filing on this case. ANC 6C voted on April 8th, at a properly noticed meeting with a quorum of 6-6 members and the public present to send an update to our testimony based on the revised filing by the applicant in the case that our issues were not sufficiently addressed. The 1200 block of 4th Street NE, where this project is located, is split between ANCs 5D & 6C and we are motivated to protect and enhance the safety and comfort of vulnerable road users such as pedestrians and bicyclists both residing in this project and 6C residents visiting the new retailers.

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)

Date:	April 15, 2015	Signature:	<i>Karen J. Wirt</i>
Name:	Karen Wirt	E-Mail:	6C02@anc.dc.gov
Address:	234 E St NE WASHINGTON, DC 20002		
Phone No(s):	(202) 707-8479	Fax No.:	

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

District of Columbia
CASE NO.14-07
EXHIBIT NO.47

INFORMATION

A request is functionally similar to a motion. The difference is that requests are filed by those who are not parties, whereas motions are filed by those who are parties.

Use this form if you are not a party to a case and you would like to request that the Zoning Commission or Board of Zoning Adjustment accept an untimely filing or to request the record to be reopened. For example:

- a). A party status request filed within 13 days of hearing; or
- b). A request to reopen a closed record to accept a document.

A request to accept an untimely filing will be entertained by the Commission or Board at a meeting or as a preliminary matter at a hearing. At that time a decision will be rendered. Please note, in the case of a request to reopen the record, pursuant to 11 DCMR §§3024.1 and 3121.9, the request will be presented to the Chair for consideration. The request must demonstrate good cause and the lack of prejudice to any party. If granted, the materials shall be entered into the record.

INSTRUCTIONS

Any Request as provided by the District of Columbia Zoning Regulations (11 DCMR) that is not completed in accordance with the following instructions shall not be accepted:

1. Forms must be completely filled out and must be typewritten or printed. All information shall be furnished by the maker of the Request. If additional space is necessary, use separate sheets of 8 ½" x 11" paper to complete the form (drawings and plans may be no larger than 11" x 17").
2. On this sheet and/or on a separate sheet of 8 ½" x 11" paper, state:
 - Case Number;
 - Name;
 - The relief you are requesting;
 - Each and every reason you believe you are entitled to relief and why the ZC or BZA should grant your Motion or Request, including relevant references to the Zoning Regulations or Map;
 - Signature and Date; and
 - Contact Information.
3. Submit the required forms and accompanying documents to the Office of Zoning using:
 - The Interactive Zoning Information System at www.dcoz.dc.gov for electronically filed cases;
 - In person or by US mail at 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001; or
 - By email to zcsubmissions@dc.gov for the Zoning Commission or bzasubmissions@dc.gov for the Board of Zoning Adjustment.



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.