

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF ZONING
441 4th STREET, N.W. SUITE 200-S/210-S
WASHINGTON, D.C. 20001
OFFICIAL BUSINESS
PENALTY FOR MISUSE

NSN



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Commissioner Frank S. Wiggins *
ANC/SMD 6E03
1350 5th Street, N.W.
Washington, DC 20001

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ZONING COMMISSION
District of Columbia
CASE NO.16-07
EXHIBIT NO.51

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 16-07(1)
Z.C. Case No. 16-07
W-G 9th & O, LLC
(Consolidated PUD and Related Map Amendment @ Square 399)
April 24, 2017

ORDER DENYING REQUEST TO ACCEPT LATE-FILED MOTION FOR
RECONSIDERATION FILED BY A NON-PARTY

By Z.C. Order No. 16-07, the Zoning Commission for the District of Columbia (“Commission”) granted the application of W-G 9th & O, LLC (“Applicant”) for approval of a consolidated planned unit development (“PUD”) and related zoning map amendment from the C-2-A Zone District to the C-2-B Zone District for property located at 810 O Street, N.W. (Square 399, Lot 66) (“PUD Site”).

The parties to Z.C. Case No. 16-07 were the Applicant and Advisory Neighborhood Commission (“ANC”) 6E.

Z.C. Order No. 16-07 (the “Order”) was published in the *DC Register* on March 10, 2017, and became final and effective upon publication. 11-Z DCMR § 604.9.

11-Z DCMR § 700.3 provides:

A motion for reconsideration, rehearing, or re-argument of a final order in a contested case under Subtitle Z § 201.2 may be filed by a party within ten (10) days of the order having become final. The motion shall be served upon all other parties.

(Emphasis added).

Therefore, any motion to reconsider the Order had to have been filed by a party no later than March 20, 2017.

On April 3, 2017, OneDC, which was neither a party nor a participant in the case, filed a Form 153 (the “Request”) asking the Commission to waive 11-Z DCMR § 700.3 and accept an untimely filing of a motion for reconsideration the (“Proposed Motion”) and to reopen the record