

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

APPEAL

Notice: Click Here for Appeal Form Instructions

Pursuant to Section (s) §3100 and §3101 of the Zoning Regulations of the District of Columbia, an appeal is hereby taken

from the administrative decision of:* the Office of Administrative Hearings (OAH)

made on* 10/20/2005

, to the effect that*

A Notice of Violation (NOV) was issued to Dorchester Associates and Morton Bender on 2/28/05 by DCRA/BLRA for the unpermitted construction of a stable at premises 2762 Chain Bridge Road, NW. The NOV was dismissed on 10/20/05 by an Administrative Law Judge of the Office of Administrative Hearings because J. Sinclair Long, the District's attorney, could not produce the inspector who issued the NOV. Mr. Bender alleged that the NOV was issued in error because what was constructed was a shed or lean-to, not a stable. Advisory Neighborhood Commission believes that Title 11, Sections 204.1 and 208.1 have been violated. A special exception hearing needs to be scheduled on the unpermitted stable before the Board of Zoning Adjustment and files this Appeal on behalf of the Chain Bridge Road University Terrace Preservation Committee.

Address(es)* of Affected Premises	Square(s)*	Lot(s)*	Zoning Districts*
2762 Chain Bridge Road, NW	1425	822	R-1-A

Present Use of Property:* Horse stable and corral

Proposed Use of Property:* Housing development

Owner of Property:* Morton Bender T/A Dorchester Associates

Telephone No.:*

(202)466-5821

Name, address and telephone number of lessee:

Representative of Dorchester Associates: Paul J. Kiernan, Holland + Knight 2099 Pennsylvania Avenue, NW, Suite 100 Washington, DC 20006

Name, address and telephone number of appellant, if other than owner:

Advisory Neighborhood Commission 3D PO Box 40846, Palisades Station, NW Washington, DC 20016

State specifically manner in which appellant is aggrieved by the administrative decision, the allegations of error in the

administrative decision, and the relevant sections of the Zoning Regulations (see reverse for more detailed explanation).

Please use a separate piece of 8 1/2" x 11" to respond and attach it to the Form 125 Appeal.

Date:* 12/05/2005

Signature:

Alma H. Oatis

* If appeal is filed by agent of the Appellant, Form 125 Appeal shall be accompanied by a letter signed by the appellant authorizing the agent to act on his behalf in this appeal.

To be notified of hearing and decision:

(Appellant or Authorized Agent)*

Name:* Advisory Neighborhood Commission 3D

Address:* PO Box 40846, Palisades Station

City:* Washington

State:* DC

Zip:* 20016

Phone No.:* (202)363-4130

Fax No.: (202)363-4130

E-Mail:

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

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17465

EXHIBIT NO. 1

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