

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



Application No. 18324 of Roane-Worsley LLC, pursuant to 11 DCMR § 3103.2, for a variance from § 401.3 to allow the conversion of a flat (two-unit dwelling) to a three-unit apartment house in the R-4 District at premises 1337 Maryland Avenue, N.E. (Square 1028, Lot 35).

HEARING DATES: April 3 and 17, 2012
DECISION DATE: April 17, 2012

DISMISSAL ORDER

This self-certified application was submitted on October 27, 2011 by Roane-Worsley LLC (the "Applicant"), the owner of the property that is the subject of the application. A public hearing on the application was scheduled for April 3, 2012. Pursuant to 11 DCMR § 3112.14, on January 13, 2012 the Office of Zoning ("OZ") mailed letters providing notice of the hearing to the Applicant, Advisory Neighborhood Commission ("ANC") 6A, and the owners of all property within 200 feet of the subject property. Notice was also published in the *D.C. Register* on January 13, 2012 (59 DCR 134).

The Board of Zoning Adjustment (the "Board") called this case at its public hearing on April 3, 2012, but the Applicant did not appear. The Board rescheduled the hearing for April 17, 2012 and directed OZ staff to contact the Applicant to obtain an explanation of why the application should not be dismissed. The Board's Secretary subsequently spoke to the Applicant by telephone and explained the need to appear at the rescheduled hearing. However, the Applicant did not appear when this case was called at the public hearing on April 17, 2012. The Board then voted to dismiss the application for failure to prosecute after receiving notice of the Board's intent to dismiss and an opportunity to appear at a rescheduled hearing, pursuant to § 3100.6 of the Zoning Regulations.

Accordingly, it is **ORDERED** that the application is **DISMISSED**.

VOTE: **5-0-0** (Lloyd J. Jordan, Nicole C. Sorg, Rashida Y.V. MacMurray,
Jeffrey L. Hinkle, and Michael G. Turnbull voting to dismiss)

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BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO.

18324

EXHIBIT NO.

28

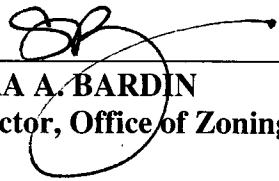
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BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

ATTESTED BY:


SARA A. BARDIN
Director, Office of Zoning

FINAL DATE OF ORDER: **MAY 03 2012**

PURSUANT TO 11 DCMR § 3125.6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE ON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL.