

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

APPEAL NO. 19009 – 1117 ALLISON STREET, NW
MOTION TO DISMISS FOR FAILURE TO IDENTIFY A ZONING VIOLATION

This Motion to Dismiss is filed on behalf of 1117 Allison LLC (“Owner”), the owner of the property located at 1117 Allison Street, NW (the “Property”). The Owner is automatically a party to this Appeal pursuant to 11 DCMR 3199.1(a)(3).

The Owner has gone to great lengths to try to appease the Appellant in this case – effectively Ms. Lyn Abrams, the next door neighbor to the Property - although ANC 4C has adopted the appeal in order to avoid Ms. Abrams having to pay the appeal filing fee. The Owner has in fact forfeited the subject building permit and applied for and received a separate building permit; this one no longer having a 3rd-story addition. The Owner has completely dropped the third-story addition from his plans, and has also reduced the footprint of the proposed addition.

The Owner’s significant gesture was rewarded with the Appellant’s continuing to pursue this Appeal, despite the fact that this project is no longer a so-called “pop-up”, and more importantly, despite the fact that the subject building permit no longer exists, and no specific zoning violation has even been alleged, let alone proven.

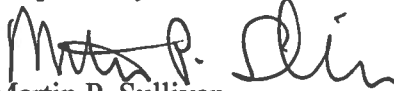
The Owner therefore moves that the Board dismiss the Appeal with prejudice, for the following reasons.

Motion to Dismiss For Failure to Identify a Violation

The Appellant has not identified any specific section of the Zoning Regulations as having been violated, as was required at the time of filing the Appeal. In this case, the Appellant has, as of the ANC 4C regular monthly meeting last week, failed to even attempt to identify a specific violation. This Appeal instead is presented as some type of request for a general zoning review by the BZA

For the above reasons, the Appeal should be dismissed with prejudice.

Respectfully Submitted,


Martin P. Sullivan

On behalf of 1117 Allison LLC, Owner

1117 Allison LLC
[Address]

June 14, 2015

Lloyd Jordan, Chairman
Board of Zoning Adjustment
441 4th Street, NW
Suite 210S
Washington, DC 20001

Re: BZA Appeal No. 19009 – 1117 Allison St NW

Dear Chairman Jordan and Members of the Board:

We hereby authorize the law firm of Sullivan & Barros, LLP to represent 1117 Allison LLC, owner of the above-referenced property, in all proceedings before the D.C. Board of Zoning Adjustment concerning this application. As the owner, 1117 Allison LLC is automatically a party to this Appeal, pursuant to 11 DCMR § 3199.1(a)(3).

Sincerely,

1117 Allison LLC

By: _____

Name: _____

Title: _____

1242 Pennsylvania Ave SE
Washington DC 20003
202-460-4003