

**DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

441 4th Street, N.W., Suite 200S

Washington, D.C. 20001

Appeal of Advisory Neighborhood Commission 4C

Appeal No. 19009

MOTION OF THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
("DCRA") TO DISMISS APPEAL AS MOOT

Advisory Neighborhood Commission 4C ("**ANC 4C**") filed an appeal on March 29, 2015 alleging that the Zoning Administrator erred in approving building permit B1409828 ("**Permit**") to renovate and convert a single family dwelling at 1117 Allison Street, NW to a three unit apartment house. DCRA had already issued a Notice to Revoke the Permit on March 17, 2015, which the Permit Holder appealed to the Office of Administrative Hearings ("**OAH**"). *1117 Allison LLC v. DCRA*, 2015-DCRA-00023. On June 11, 2015, the Permit Holder filed a Consent Motion to Amend OAH Judge Barber's May 20, 2015 Final Order to Dismiss the Permit Holder's appeal to reflect that the Consent Motion to Dismiss was with prejudice (attached as **Exhibit A**). The Permit therefore is revoked.

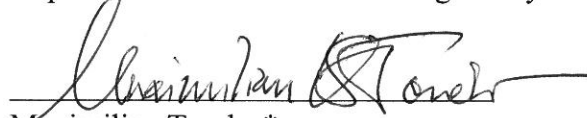
Therefore DCRA respectfully requests that the Board dismiss this Appeal as moot.

Respectfully submitted,

CHARLES THOMAS

Interim General Counsel

Department of Consumer and Regulatory Affairs



Maximilian Tondro*

Assistant General Counsel

Office of General Counsel

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Date: 6/15/2015

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Attorney for Department of Consumer and Regulatory Affairs

* Admitted to practice in Maryland. Practicing in the District of Columbia pursuant to D.C. Court of Appeals Rule 49(c)(4).

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of June 2015, a copy of the foregoing Motion to Dismiss was served via electronic mail to:

Lyn Abrahms
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Appellant

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Attorney for Permit Holder

Vann-Di M. Galloway, Chairman
Advisory Neighborhood Commission 4C
801 Shepherd Street, N.W.
Washington, D.C. 20011
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Appellant



Maximilian Tondro

DISTRICT OF COLUMBIA
OFFICE OF ADMINISTRATIVE HEARINGS

1117 ALLISON LLC	)	
Petitioner	)	Case No.: 2015-DCRA-00023
	)	Administrative Law Judge
	)	Claudia Barber
v.	)	
	)	
DCRA	)	
Respondent	)	
	)	

PETITIONER'S CONSENT MOTION TO AMEND THE COURT'S ORDER

Petitioner, 1117 Allison LLC ("1117 Allison"), by and through its undersigned counsel, hereby submits this Consent Motion to Amend the attached Court's Order dated May 20, 2015, to reflect a dismissal *with* prejudice of Office of Administrative Hearings ("OAH") Case No. 2015-DCRA-00023, in the matter of *Allison 1117 LLC v. DCRA*. On June 11, 2015, Petitioner obtained via telephone the consent of the Respondent. Petitioner therefore respectfully moves this court to issue an order dismissing *with* prejudice OAH Case No. 2015-DCRA-00023.

WHEREFORE, based on the foregoing, the Petitioner respectfully requests that this Honorable Court grant this motion.

Respectfully submitted,



Martin P. Sullivan (D.C. Bar No. 460458)

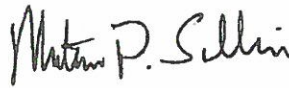
msullivan@sullivanbarros.com
Sullivan & Barros, LLP
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Tel: 202-503-1704
Fax: 888-318-2443
Counsel for Petitioner

June 11, 2015

CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2015, I served the foregoing Motion to Amend the
Court's Order to:

Doris Parker-Woolridge, Esq.
doris.parker-woolridge@dc.gov

A handwritten signature in black ink, appearing to read "Martin P. Sullivan". The signature is written in a cursive, slightly slanted style.

Martin P. Sullivan

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DISTRICT OF COLUMBIA
OFFICE OF
ADMINISTRATIVE HEARINGS

2015 MAY 20 AM 9:49

ALLISON 1117 LLC,
Petitioner,

v.

DEPARTMENT OF CONSUMER AND
REGULATORY AFFAIRS,
Respondent.

Case No.: 2015-DCRA-00023

FINAL ORDER

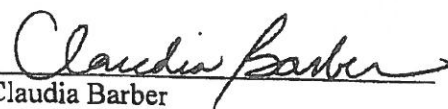
The DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS (the "Government") issued a Notice to Revoke Building Permit No. B1409828, which was issued in error. Petitioner Allison 1117 LLC appealed that Notice by filing its appeal with this administrative court on March 27, 2015. A status conference was scheduled for June 4, 2015.

On May 19, 2015, Petitioner filed a Consent Motion for Voluntary Dismissal because the parties resolved all disputed issues in this case, and the building permit at issue has been replaced with a new building permit. In accordance with OAH Rules 2817.1 and 2817.4, I will grant the Petitioner's motion, without waiting for a response from Respondent.

Therefore, it is this 20th day of May, 2015:

ORDERED, that the Petitioner's Consent **MOTION** to voluntarily dismiss this case without prejudice is **GRANTED**, the status conference previously scheduled for June 4, 2015 is **CANCELED**, and this action is **DISMISSED WITHOUT PREJUDICE**; and it is further

ORDERED, that the reconsideration and appeal rights of any party aggrieved by this Order are set forth below.


Claudia Barber
Administrative Law Judge