GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 16339-A of Jerome Lindsey, on behalf of Kaleb LLC, pursuant to 11 DCMR § 3108.1, (new subsection 3104.1) for a special exception under Section 205 to establish an office and after-care/child development center for children ages 10 months to 10 years and two staff in the basement through second floor of an existing structure in an R-2 District at premises 801 Rittenhouse Street, N.W. (Square 2980, Lot 24).

HEARING DATE: May 6,1998
DECISION DATE: June 3, 1998

FINAL DATE OF ORDER: June 16, 1998

DISMISSAL ORDER

In a letter dated July 1, 1998, the Applicant filed for a motion to waive the applicable rule to allow for a late filing and a motion to rehear the above application, that was approved with conditions pursuant to Order No. 16339, dated June 16, 1998. The Applicant has not responded to two letters sent by the Office of Zoning (OZ) dated March 23, 2000 and February 21, 2001, requesting additional information concerning the motion. The OZ has also been unsuccessful in several attempts to contact the Applicant by telephone in this regard. In the letter to the Applicant dated February 21, 2001, OZ requested a response in writing by March 14, 2001, indicating whether the Applicant intended to proceed with the motion. OZ further indicated that if there was no response by the indicated date that the motion would be submitted to the Board at its April 3, 2001 public meeting with a recommendation that the motion be dismissed. The OZ had not heard from the Applicant relative to the foregoing and therefore recommended that this motion be dismissed.

At the Board's monthly meeting on September 4, 2001, the Office of Zoning reported the aforementioned status of the application and recommended that the Board dismiss the case pursuant to 11 DCMR § 3101.7.

In light of the foregoing, the Board hereby **ORDERS** that the motion be **DISMISSED**.

BZA
Case No.
Exhibit No. 35

Board of Zoning Adjustment
District of Columbia
CASE NO.16339
EXHIBIT NO.35

VOTE: 5-0-0 (Anthony J. Hood, Sheila Cross Reid, Geoffrey H. Griffis, David W. Levy, and Anne Mohnkern Renshaw to dismiss the application).

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

Each concurring member has approved the issuance of this Order.

ATTESTED BY: _____
JERRILY R. KRESS, FAIA
Director, Office of Zoning

FINAL DATE OF ORDER: SEP 10 2001

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

RSN

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA APPLICATION NO. 16339

As Director of the Office of Zoning, I hereby certify and attest that on SEP 10 2001 a copy of the order entered on that date in this matter was mailed first class, postage prepaid or delivered via inter-agency mail, to each party and public agency who appeared and participated in the public hearing concerning the matter, and who is listed below:

Jerome Lindsey
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Washington, D.C. 20011

Karen Buster
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ATTESTED BY: Jerrily Kress

JERRILY R. KRESS, FAIA
Director