GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 16340 of Eshetie H. Yemiru, pursuant to 11 DCMR § 3104.1 for a special exception under section 213.1 to establish a parking lot for 30 parking spaces in an RC/R-5-B District at premises 2327 Champlain Street, N.W. (Square 2563, Lot 879).

HEARING DATE: June 3, 2000
DECISION DATE: April 3, 2001

DISMISSAL ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The zoning relief requested in this case is by a zoning memorandum from the Zoning Administrator's Office that specifies the zoning relief required by the Applicant.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 1C, and to owners of all property within 200 feet of the property that is the subject of this application. The application was also referred to the Office of Planning for review and report.

The site of the application is located within the jurisdiction of ANC-1C. ANC-1C, which is automatically a party to this application submitted a report in support of the application.

At the public hearing, the Board found that the applicant is not the owner of the subject property. Mr. Charles Blum, the owner of the property by a letter dated April 27, 1998, indicated his opposition, to the application requesting that the Board cancel the application.

The Applicant indicated that the property was changing ownership and requested a continuance to enable him to obtain a letter of authorization from the new owner of the property. Accordingly, the Board granted the Applicant's request and continued the hearing for a period of six months. The Board requested the Applicant to introduce evidence into the record of the case indicating that the new owner of the property is aware and supportive of the application.

By letter dated November 1, 1998, the Applicant requested an additional continuance of the case indicating that he has not been able to locate and meet with the new owner of the property.

At its public meeting on December 2, 1998, the Board granted the Applicant's request for continuance. By letter dated December 10,1998, the Office of Zoning (OZ) informed the Applicant of the Board's decision and advised the Applicant to forward a letter of withdrawal to

#31

Board of Zoning Adjustment
District of Columbia
CASE NO.16340
EXHIBIT NO.31

the OZ if he decided not to go forward with the case. There was no response from the Applicant over the next 15 months.

By letters dated March 21, and December 11, 2000, the Office of Zoning reminded the Applicant that the case had remained inactive for a considerable length of time and asked him to provide the needed information by the close of business on December 28, 2000, or the OZ would recommend that the Board dismiss the application at its January 2, 2001 public meeting.

At the Board's monthly meeting on April 3, 2001 the Office of Zoning reported on the status of the application and recommended that the Board dismiss the case.

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

VOTE: 3-0-1 (Anne M. Renshaw, Sheila Cross Reid, and Carol J. Mitten to dismiss, Susan M. Hinton, not present, not voting).

BY ORDER OF THE DC BOARD OF ZONING ADJUSTMENT

Each concurring member has approved the issuance of this Order.

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

Final Date of Order MAY 15 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.

16340/VCE

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA APPLICATION NO. 16340

As Director of the Office of Zoning, I hereby certify and attest that on MAY 15 2001, a copy of the order entered on that date in this matter before the Board of Zoning Adjustment was mailed first class, postage prepaid or sent by inter-agency mail, to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Eshetie H. Yemiru
2327 Champlain Street N.W
Washington, D.C. 20009

Ellen McCarthy, Deputy Director
Office of Planning (4TH floor).
801 North Capital Street, N.E.
Washington, D.C. 20002

Charles J. Blum
2327 Champlain Street, N.W.
Washington, D.C. 20009

Andrew Miscuk, chairperson
Advisory Neighborhood Commission 1C
Marie Reed School
1728 Kalorama Road, NW
Washington, D.C. 20009

Josh Gibson,
Single Member District Commissioner 1C07
1801 Wyoming Avenue, N.W., #25
Washington, D.C. 20009

Jim Graham, Councilmember
Ward One
441 4TH Street, N.W., Room 718
Washington, D.C. 20001

Michael D. Johnson, Zoning Administrator
Department of Consumer & Regulatory Affairs
941 North Capitol Street, N.E., Suite 2000
Washington, D. C. 20002

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