GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Richard S. Nero, Jr. RSN
Chief, Support Services and Quality Control

THRU: Jerrily R. Kress, FAIA
Director, Office of Zoning

DATE: February 11, 2004

RE: BZA Application No. 16486 (445 15th Street, S.E.)
Recommendation for Dismissal

The above-cited application was filed with the Office of Zoning (OZ) on May 21, 1999. The public hearing on the application was held on September 29, 1999. The Board of Zoning Adjustment (Board) members who heard the case are no longer sitting. The application was opposed at the hearing. During the course of the hearing, the Board determined that the applicant, who resides in North Carolina, needed more time to prepare to address the burden of proof for the relief being requested. The Board continued the hearing to an unspecified date and asked the OZ to provide the applicant with a list of items that are needed before the case can be re-scheduled for a hearing. The OZ provided the applicant with this information. Not hearing back from the applicant for a considerable time, the OZ by letter dated January 14, 2000, advised the applicant that it would recommend that the case be dismissed unless she responded by January 31, 2000. The OZ sent another letter to the applicant on April 8, 2002, inquiring of her intentions to proceed with the application. The OZ received a letter on April 29, 2002, from the applicant stating her intentions to proceed with the application, noting that she is looking for representation to act on her behalf. Not hearing back from the applicant for six months the OZ sent a letter dated October 25, 2002 (attached) to the applicant advising that if the outstanding information is not received by December 1, 2002, that OZ will recommend that the Board dismiss the application. No follow-up correspondence has been received from the applicant in over a year relevant to the foregoing.

BZA
Board of Zoning Adjustment
District of Columbia
CASE NO. 16486
EXHIBIT NO. 39
Case No. 16486
Exhibit No. 39

Given the foregoing, the OZ recommends that the Board dismiss the above-cited application for failure to comply with the procedural requirements of the Chapter 31 of the Zoning Regulations.

Attachment
rsn