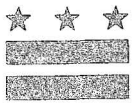
GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 16627 of Paul and Elaine Anderson, pursuant to 11 DCMR § 3013.2, for a use variance to allow an automobile repair shop, including sales of auto parts, display of tires and other accessories, and for towing vehicles under section 701, in the C-1 District at premises 3426 18th Street, N.E. (Square 4146, Lot 27).

HEARING DATE: November 28, 2000
DECISION DATE: March 5, 2002

DISMISSAL ORDER

The above-cited application was filed on August 15, 2000. The Board of Zoning Adjustment (Board) rescheduled the public hearing on the above-cited application from November 28, 2000 to February 27, 2001, to accommodate the applicant's request for more time to prepare to address the burden of proof in a use variance case. The Board voted to hold this matter in abeyance for 120 days until late June, 2001. On October 17, 2001, the Office of Zoning (OZ) sent the applicant a letter (Exhibit 43) requesting that he contact the OZ with his intentions regarding the re-advertisement and continued hearing of the application. The letter stated that failure to respond in a timely manner would result in OZ recommending dismissal of the application. The OZ did not get a response to the letter. On February 26, 2002, the OZ contacted Mr. Paul Anderson, the applicant, by telephone. Mr. Anderson advised the staff that he no longer was interested in pursuing the matter, and had no objection to the Board's dismissal of the application.

At the Board's monthly meeting on March 5, 2002, 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 application be **DISMISSED**.

VOTE: **5-0-0** (Geoffrey H. Griffis, Curtis L. Etherly, Jr., Anne M. Renshaw, David W. Levy, and Anthony J. Hood to dismiss the application).

BZA
Case No. 16627
Exhibit No. 44

Board of Zoning Adjustment
District of Columbia
CASE NO.16627
EXHIBIT NO.44

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
JERRILY R. KRESS, FAIA
Director, Office of Zoning

FINAL DATE OF ORDER: MAR 15 2002

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. 16627

As Director of the Office of Zoning, I hereby certify and attest that on MAR 15 2002 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:

Paul & Elaine Anderson
3426 18th Street, N.E.
Washington, D.C. 20018

Norma M. Broadnax, Chairperson
Advisory Neighborhood Commission 5A
Slowe School Demountable
14th & Irving Street, N.E.
Washington, D.C. 20017

John Best, Commissioner 5A09
Advisory Neighborhood Commission 5A
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Toye Bello Acting, Zoning Administrator
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rsn

ATTESTED BY: Jerrily R. Kress

JERRILY R. KRESS, FAIA
Director, Office of Zoning