Government of the District of Columbia

OFFICE OF ZONING

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MEMORANDUM

TO: File (16633)

FROM: R. Nero RSN

DATE: 8/3/01

RE: BZA Case No. 16633 (Brandler) Case Status

The Board held public hearings on this case on 11/28/00 and 12/19/00, and voted at the conclusion of the latter hearing to not make a final decision on the case, but to rather hold the matter in abeyance until June, 2001, or until the applicant had a chance to improve the appearance of the property. Testimony presented at the public hearings convinced the Board that the overall cleanliness and appearance of the property was lacking. Landscaping and dirty balconies were two examples of areas needing attention. Once these issues have been addressed the case was to be re-advertised for public hearing.

On 8/1/01, Mr. Brandler, the applicant, called me and inquired about the process of re-advertising the case, and informed me of his intention to withdraw the application. I advised the applicant of the process for withdrawing an application, including that the request must be in writing.

EX. 33

Board of Zoning Adjustment
District of Columbia
CASE NO.16633
EXHIBIT NO.33

original thing was going to be --

VICE CHAIRPERSON SOCKWELL: Well, I think we had discussed the parking being increased to six spaces in a previous hearing.

MS. ADELMAN: And we have no choice about that.

COMMISSIONER HOOD: And if I can just add, and I don't know about my other colleagues, but I have heard enough discussion. And I know that in about 10 minutes that you are going to lose a quorum, because I am here in the morning, and I do have some other things to do this afternoon.

VICE CHAIRPERSON SOCKWELL: All right. I think that barring any more discussion, closing remarks from the applicant would be next.

MR. FINN: I will just be mercifully brief here. It just seems to me that the problems that the neighbors have brought up can certainly be resolved with some resolve by the owner, because, for instance, Ms. Adelman, actually is a physical part of a high-rise building that is in the neighborhood, and all along Wisconsin Avenue there is very dense development.

And we are kind of a -- we are really a very modest building here, and so I am saying that we

can certainly handle this stuff with some attention by the owner and that's all that I have to say.

VICE CHAIRPERSON SOCKWELL: I am going to tell you right now that I have somewhat ambivalent feelings about the situation here, because certain things have taken a long time to be -- I mean, certain conditions have existed for a long time, and I think that maybe what we need to do with this case is not deny or approve it, but to continue it until perhaps June or July of next year, six months, to see how well the relationship and the maintenance improve or continue in an improved situation.

And to put this back on the table at that time, and if the planting has not been maintained, and if the balcony has not been kept clean, if the issue of -- and specifically to Mrs. Adelman's property and the cleanliness and appearance issues have not been handled properly, then the case will take on a different tone.

But I believe that we should withhold a decision and continue this case for a six month period until June of the year 2001.

COMMISSIONER HOOD: If that is a motion then --

BOARD MEMBER RENSHAW: I am comfortable

with that, very comfortable with that.

VICE CHAIRPERSON SOCKWELL: All in favor?

COMMISSIONER HOOD: Aye.

BOARD MEMBER RENSHAW: Aye.

VICE CHAIRPERSON SOCKWELL: Aye.

MS. BAILEY: The staff will record the vote as three to zero; the motion made by Mr. Sockwell, and seconded by Mrs. Renshaw, to hold this case in abeyance for six months. That is, until June of 2001. At that time the case will be readvertised and put on the Board's docket.

CHAIRPERSON REID: This completes the cases for the morning. We will take exactly a 25 minute break and return for the afternoon.

(Whereupon, a luncheon recess was taken at 1:30 p.m.)