GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 16633 of Eva Brandler, pursuant to 11 DCMR § 3103.2, for a variance under subsection 2001.3 (a) (b) and (c) to allow an addition to a nonconforming existing structure and use that exceeds the allowable percentage of lot occupancy and a variance from subsection 2101.1 from the required parking spaces in an R-1-B District at premises 3715 Woodley Road, N.W. (Square 1920, Lot 25).

HEARING DATE: November 28, 2000, December 19, 2000
DECISION DATE: January 2, 2002

DISMISSAL ORDER

The above-cited application was filed on August 18, 2000. The Board held public hearings on this case on November 28, 2000, and on December 19, 2000, 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 had been addressed the case was to be re-advertised for public hearing. On August 1, 2001, Mr. Brandler, the applicant, called the Office of Zoning and inquired about the process of re-advertising the case, and informed the Office of Zoning of his intention to withdraw the application. Since that time, the Office of Zoning tried, to no avail, through several phone calls (including calls made on April 26, 2001 and August 2, 2001) to ascertain from the applicant his intention with regards to pursuing the case. Given the time that has lapsed since the filing of this case and the Applicant's inaction with regard to the addressing the issues raised by the Board the Office of Zoning on December 10, 2001, recommended that the Board dismiss this application.

At the Board's monthly meeting on January 2, 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**.

BZA
Case No. 16633
Exhibit No. 37

Board of Zoning Adjustment
District of Columbia
CASE NO.16633
EXHIBIT NO.37

VOTE: **4-0-1** (Geoffrey H. Griffis, Anne M. Renshaw, David W. Levy, and Carol J. Mitten to dismiss the application, the third mayoral appointee not present, not voting).

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: JAN - 9 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. 16633

As Director of the Office of Zoning, I hereby certify and attest that on JAN - 9 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:

Bill Brandler
3713 Woodley Road, N.W.
Washington, D.C. 20016

Eva Brandler
12409 Braxfield Court
Apt. 3
Rockville, Maryland 20852

Nancy J. MacWood, Chairperson
Advisory Neighborhood Commission 3C
2737 Devonshire Place, N.W.
Washington, D.C. 20008

Lars Hydle, Commissioner 3C07
Advisory Neighborhood Commission 3C
2918 38th Street, N.W.
Washington, D.C. 20016

Kathleen Patterson, City Councilmember
Ward Three
1350 Pennsylvania Avenue, N.W.
Suite 107
Washington, D.C. 20004

Toye Bello
Acting Zoning Administrator
Building and Land Regulation
Administration

Department of Consumer and Regulatory Affairs
941 N. Capitol Street, N.E.
Washington, D.C. 20002

Ellen McCarthy, Deputy Director
Office of Planning
801 North Capitol Street, N.E.
4th Floor
Washington, D.C. 20002

Alan Bergstein, Esq.
Office of Corporation Counsel
441 4th Street, N.W., 6th Floor
Washington, D.C. 20001

rsn

ATTESTED BY:

JERRILY R. KRESS, FAIA
Director