Government of the District of Columbia

OFFICE OF ZONING

441 4TH STREET, N.W.
SUITE 210
WASHINGTON, D.C. 20001
(202) 727-6311

October 11, 2001

Norman M. Glasgow, Jr., Esq.
Holland & Knight LLP
2099 Pennsylvania Avenue, N.W.
Suite 100
Washington, D.C. 20006

Re: BZA Appeal No. 16642 – Georgetown Flea Market

Dear Mr. Glasgow:

This letter acknowledges your **WITHDRAWAL** of the above-numbered appeal. Your request was received by this office by letter dated October 10, 2001. Please be advised that, pursuant to subsection 3113.10 of the Zoning Regulations your application is hereby **WITHDRAWN**. No further action will be taken on this application.

If you have any questions, please call the Office of Zoning at (202) 727-6311.

Sincerely,

JERRILY R. KRESS, FAIA
Director

Attachment
cc: ANC 2E
ANC 3B
Councilmember Jack Evans
Ward 2
Ellen McCarthy, Office of Planning
Ronald Sol Mlotek
Safeway c/o Jerry A. Moore, III

BZA
Case No. 16642
Exhibit No. 66

Board of Zoning Adjustment
District of Columbia
CASE NO.16642
EXHIBIT NO.66

Law Offices
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October 10, 2001

NORMAN M. GLASGOW, JR.
202-419-2460
Internet Address: nglasgow@hklaw.com

Hand Delivery

D.C. Board of Zoning Adjustment
Suite 210
441 4th Street, N.W.
Washington, D.C. 20001

Re: Appeal No. 16642 – Georgetown Flea Market

Dear Members of the Board:

On behalf of the appellant in the above-referenced case, pursuant to 11 DCMR §3113.10, this letter is to withdraw and have dismissed with prejudice the above-referenced appeal as moot. The District of Columbia Department of Consumer and Regulatory Affairs (DCRA) has issued a new certificate of occupancy for the Flea Market operation, a copy of which is enclosed.

The District of Columbia requested a postponement of the public hearing previously scheduled for June 5, 2001. The Board granted the postponement of that public hearing to October 16, 2001. In the interim, the appellant has had discussions with the DCRA and the Office of Corporation Counsel concerning the status of the use and resolution of the prior decision of the Zoning Review Branch which had occasioned the appeal. The result of those discussions was the issuance of the enclosed certificate of occupancy. Accordingly, the appeal is moot and is hereby withdrawn and should be dismissed with prejudice.

Very truly yours,

HOLLAND & KNIGHT LLP

Norman M. Glasgow, Jr.

Enclosure
cc: J. Gregory Love
Arthur J. Parker
ANC 2E
ANC 3B

WAS1 #1020826 v1

Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration
941 North Capitol Street N.E. room 2100
Washington D.C. 20002
Tel. (202) 442 - 4470 Fax (202) 442 - 4662

Government of the District of Columbia DLRA 94A

C of O

CERTIFICATE OF OCCUPANCY

PERMIT NO.
CO 20768

THIS PERMIT IS VALID ONLY FOR THE PREMISES OF THE PROJECT ADDRESS

DATE : 10/9/01

ADDRESS :	FLOOR(S):	PRCLID : 1297 (square) -0000- 0850 (lot)
1819 35TH ST NW Z	1ST	WARD : 2 ZONE : R3

PERMISSION IS HEREBY GRANTED TO :	TRADING AS :
SOLE PROPRIETOR : MICHEAL SUSSMAN	GEORGETOWN FLEA MARKET

APPROVED USES :	PREVIOUS USES :
OTHER - SEE DESCRIPTION	OTHER - SEE DESCRIPTION

TYPE :	ZA NO	OCCUPIED SQ FOOTAGE	OCCUP LOAD	EXPIRATION DATE:
NEW C/O		26,000		NONE

DESCRIPTION OF USE
SALES OF ANTIQUES AND COLLECTIBLES (FLEA MARKET SUNDAYS ONLY) -NOT SEXUALLY ORIENTED- AND SUBJECT TO ALL CONDITIONS LISTED IN THE SETTLEMENT AGREEMENT BETWEEN MICHAEL SUSSMAN AND THE DISTRICT OF COLUMBIA DATED 10/9/01.

FEE:
$141.00

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, VALID ONLY for the premise at the above address or part thereof, and for the purpose(s) indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE in the type of business, ownership of business, or part of premises occupied, will render this Certificate VOID and a NEW Certificate must be obtained.

David A. Clark DIRECTOR	PERMIT CLERK: ADEMOLA SHITTU

Department of Consumer & Regulatory Affairs
DCRA
Government of the District of Columbia