GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 16785 of Francis J. Bundu, pursuant to 11 DCMR § 3103.2 for a variance from the parking requirements of § 2102 to allow the establishment of a "public hall" use in an existing second floor meeting room in a C-3-C district on property located at 39 New York Avenue, N.E. (Lot 18, Square 671).

HEARING DATE: February 12, 2002
DECISION DATE: May 7, 2002

DISMISSAL ORDER

The above-cited application was filed on August 22, 2001. During the February 12, 2002, hearing, the Board asked the applicant to provide additional documentation regarding the intended and existing use(s) of the subject property. In a letter dated March 25, 2002, the applicant requested a postponement of the final decision from April 2, 2002, to May 7, 2002. By letter dated April 9, 2002, the Office of Zoning advised the applicant that the Board had granted its request for a postponement until May 7, 2002. The letter further instructed that the Board would make its decision on the application on that date regardless of whether it received the information it requested. At the May 7, 2002, decision meeting, the record was still not complete with respect to the space occupied by the applicant's use. Without a clear understanding of the scope of the use of the property, the Board is unable to ascertain the number of parking places required by the Zoning Regulations and the impact that a variance from that requirement will have on the surrounding community. Therefore, the Board cannot reach the merits of the application. In light of the foregoing, it is hereby **ORDERED** that the application is **DISMISSED** without prejudice.

VOTE: 5- 0 - 0 (Anne M. Renshaw, Geoffrey H. Griffis, David M. Levy, Curtis L. Etherly, Jr., and James H. Hannaham, to dismiss).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT
Each concurring member has approved the issuance of this Decision and Order.

BY: _____
JERRILY R. KRESS, FAIA
Director, Office of Zoning

FINAL DATE OF ORDER: JUL 17 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

BZA
Case No. 16785
Exhibit No. 49

Board of Zoning Adjustment
District of Columbia
CASE NO.16785
EXHIBIT NO.49

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA APPLICATION NO. 16785

As Director of the Office of Zoning, I hereby certify and attest that on JUL 17 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:

Francis J. Bundu, President
African Community Center, Inc.
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rsn

ATTESTED BY:

JERRILY R. KRESS, FAIA
Director, Office of Zoning