Appeal No. 16982 of J. Brendan Herron, Jr. and Advisory Neighborhood Commission (ANC) 3F

MOTIONS:

1. **The property owner filed a Motion for Intervenor status. Exhibit No. 16.**

2. **The property owner filed a Motion requesting that the March 4th hearing be devoted specifically to deciding if the Appeal has merit, and, if not, than it should be dismissed. The property owner is also requesting that if a public hearing is warranted, it should be rescheduled for a later date. All parties are in agreement. Exhibit No. 17.**

3. **The property owner filed a Motion to Dismiss the Appeal because it was untimely filed (more than six months after issuance of the building permit). Exhibit No. 16.**

4. **The property owner filed a Motion to strike Exhibits 19 and 21 from the record because they were untimely filed, and to dismiss the Appeal for failure to meet the filing requirements of section 3112.10 of the Zoning Regulations. Exhibit No. 22.**

5. **The Appellee filed a Motion to Intervene and Dismiss.**

RELIEF SOUGHT: Pursuant to 11 DCMR §§ 3100 and 3101, from the administrative decision of the Department of Consumer and Regulatory Affairs (DCRA), in the issuance of building permit Nos. B446310, B446316 and B446312, issued on June 13, 2002, to Zuckerman Bros. allowing the construction of two single-family dwellings. Appellant alleges that DCRA erred by not taking into consideration the provisions of the Forest Hills Tree and Slope Overlay, the plans violate the side yard requirements, and the ANC was not given statutory notice of the filing of the permit applications. The subject premises is located at 2900 and 2902 Albemarle Street, N.W.

ZONING: R-1-A District.

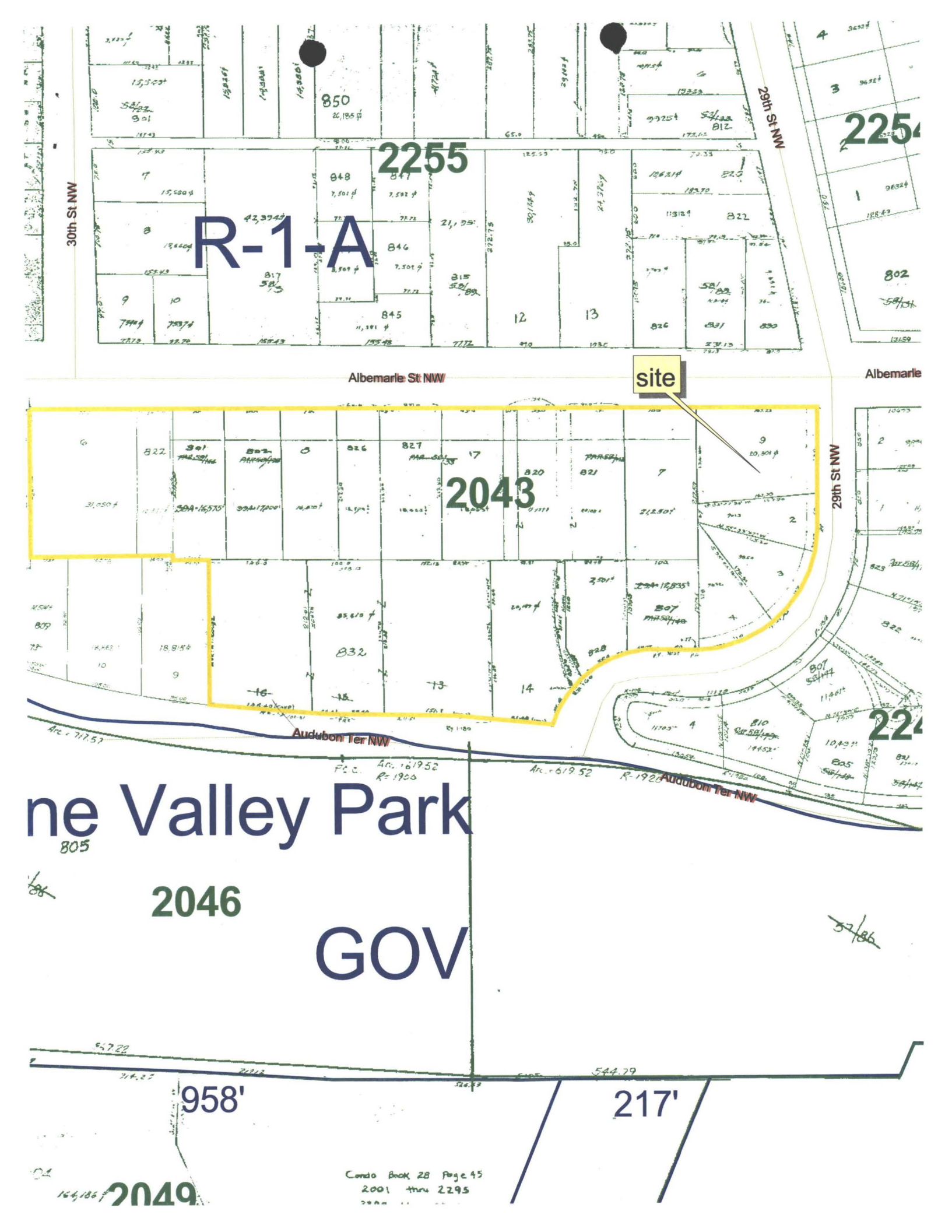
SQUARE & LOT: Square 2043, Lots 9, 18 and 19
Lot 9 was subdivided into the two lots of record. The current lots of record are 18 and 19.

BZA
Case No. 16982
Exhibit No. 34

Board of Zoning Adjustment
District of Columbia
CASE NO. 16982
EXHIBIT NO. 34

PARTICIPANTS

APPELLANT	J. Brendan Herron, Jr. and Advisory Neighborhood Commission (ANC) 3F David J. Barden is to represent the ANC.
PROPERTY OWNER INTERVENOR:	Zuckerman Brothers, Inc. John Epting and Allison Prince, of the law firm ShawPittman, are to represent the property owner.
APPELLEE:	Robert Kelly, Zoning Administrator/ David Clark, Director, DCRA Laurie G. Gilbert, Office of Corporation Counsel, is to represent DCRA.


2255
R-1-A
30th St NW
29th St NW
Albemarle St NW
site
2043
Audubon Ter NW
ne Valley Park
2046
GOV
958'
217'
544.79
Condo Book 28 Page 45
2001 thru 2295
2049