Government of the District of Columbia

OFFICE OF ZONING

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December 1, 2004

TO: Zoning Commission Members

FROM: Alberto P. Bastida, AICP
Secretary to the Zoning Commission

SUBJECT: Z.C. Case 91-2 - Dismissal
(Request from ANC-3E, Tenley and Cleveland Park Emergency Committee, and Citizens for the Preservation of Residential Neighborhoods -- Copy Attached)

On January 16, 1991 the above-cited petition was received by the Office of Zoning. On February 18, 1991 the subject application was referred to the Office of Planning, requesting it be processed. No preliminary report was received from the Office of Planning; accordingly the petition was never set down for a public hearing.

On March 30, 2004, a memorandum was sent to the Office of Planning requesting the status of this case (Copy Attached). No response was received.

On June 21, 2004, a letter was sent to ANC-3E (please see Attachment 2) requesting a response by Tuesday, September 7, 2004. The letter stated, if no response was received by the above-cited date, the Office of Zoning would request the Commission dismiss this case.

Subsequently, the Office of Zoning, in several instances, has been in verbal contact with ANC 3E. The ANC has expressed no objection to the dismissal of this petition. On December 1, 2004 the Office of Zoning again contacted Ms. Amy McVey, Chair of the ANC 3E, by telephone, and she again expressed no objections to the dismissal of the petition.

The Zoning Commission, under § 3011.3, may dismiss the application. § 3011.1 states "After considering the application or petition and the recommendation of the Office of Planning, and after reasonable opportunity for the applicant or petitioner to present the applicant's or petitioner's views, the Commission may dismiss the application or petition or set it down for a public hearing or other proceeding".

Attachments

ZONING COMMISSION
District of Columbia

CASE NO. 91-2
EXHIBIT NO. 9

ZONING COMMISSION
District of Columbia
CASE NO.91-2
EXHIBIT NO.9