

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Board of Zoning Adjustment**



**Appeal No. 20021 of ANC 6C**, pursuant to 11 DCMR Subtitle Y § 302, from the decision made on January 22, 2019 by the Zoning Administrator, Department of Consumer and Regulatory Affairs, to issue Certificate of Occupancy CO1901156, permitting the property to operate as a restaurant and bar with seating for 122 persons and a load occupancy of 269 persons in the NC-16 Zone at premises 707 H Street N.E. (Square 890, Lot 26).

**DISMISSAL ORDER**

Appeal No. 20021 was submitted to the Board of Zoning Adjustment (the “Board”) on March 25, 2019 by ANC 6C (the “Appellant”). The appeal challenged the decision made by the Zoning Administrator at the Department of Consumer and Regulatory Affairs (“DCRA”) on January 22, 2019 to issue Certificate of Occupancy CO1901156, which would allow a restaurant and bar with seating for 122 persons and a load occupancy of 269 persons in the NC-16 Zone at premises 707 H Street N.E. (Square 890, Lot 26) (the “Property”).

Pursuant to Subtitle Y § 501.1, the parties to the appeal are the Appellant, DCRA, and the owners of the Property, A. Jamil and A.F. Rahimi (the “Property Owner”).

On April 8, 2019, DCRA filed a motion to dismiss the appeal (“Motion to Dismiss”). (Exhibit 5.) The Motion to Dismiss indicated that DCRA canceled Certificate of Occupancy CO1901156 after it was voluntarily surrendered by the Property Owner. As the Certificate of Occupancy at issue is canceled, DCRA requests that the appeal be dismissed as moot. A representative of the Appellant consented to the dismissal of the appeal. (Exhibit 6.)

Under Subtitle Y § 101.6, “moot questions shall not be considered by the Board.” Therefore, based on the cancelation of Certificate of Occupancy CO1901156 and with the consent of DCRA and the Appellant, the Board voted to grant the Motion to Dismiss at its public meeting on May 1, 2019.

Accordingly, it is **ORDERED** that the appeal is **DISMISSED**.

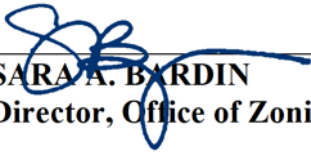
**VOTE: 5-0-0** (Frederick L. Hill, Lesylleé M. White, Lorna L. John, Carlton E. Hart, and Robert E. Miller to DISMISS.)

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

A majority of the Board members approved the issuance of this order.

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**ATTESTED BY:**

  
**SARA A. BARDIN**  
**Director, Office of Zoning**

**FINAL DATE OF ORDER:** May 2, 2019

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.