

BEFORE THE BOARD OF ZONING ADJUSTMENT, D. C.

Application No. 12028, of Gerald Miller, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under paragraph 3104.44 to continue the use of a parking lot in the SP District at the premises 1328 - 18th Street, N.W. (Square 137, Lots 39 & 814-816).

CASE HEARD: November 19, 1975 and January 21, 1976
CASE DECIDED: January 21, 1976 (from the Bench)
DISPOSITION: Application DISMISSED by a vote of 4-0 (Lilla Burt Cummings, Esq., Walter B. Lewis, William F. McIntosh and Leonard L. McCants to Dismiss, William S. Harps not present, not voting).
FINAL DATE OF ORDER: March 3, 1976

ORDER:

Upon consideration of the applicant's motion for reconsideration, dated March 15, 1976, the Board finds that the motion fails to state an acceptable basis of error on the part of the Board to support the motion for reconsideration.
IT IS THEREFORE ORDERED THAT THE MOTION BE, DENIED.

VOTE: 4-0 (Leonard L. McCants, Lilla Burt Cummings, William F. McIntosh and Ruby B. McZier to DENY, William S. Harps not voting not having heard the case).

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

ATTESTED BY:



STEVEN E. SHER

Acting Secretary to the Board

FINAL DATE OF THIS ORDER: JUN 4 1976

Before the Board of Zoning Adjustment, D.C.

Application No. 12028 of Gerald Miller, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception to permit the continued use of a parking lot in the SP District at the premises 1328 - 18th Street, N.W. (Square 137, lots 39 and 814-816).

HEARING DATE: November 19, 1975 and January 21, 1976

DECISION DATE: January 21, 1976 (from the Bench)

FINDINGS OF FACT:

1. This application was advertised for public hearing in November of 1975.

2. At that time, the Board did not hear the case because of the large number of notices which had been mailed out and were returned by the Postal Service marked "No such number Zone 36."

3. The Board directed the applicant to submit a new list of addresses.

4. The applicant failed to submit such a new list.

5. The case was readvertised for the hearing of December 17, 1975 and then continued to January 21, 1976.

6. For the December and January hearings, no new addresses were supplied for notice to be mailed to addresses within 200 feet of the subject property.

7. The BZA application form requires a list of such addresses to be submitted.

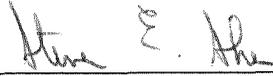
CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the applicant has twice been delinquent in failing to submit a list of addresses within 200 feet of the subject property, once in submitting an incorrect list with the application and once in failure to respond to the Chairman's directive at the November hearing. It is therefore ordered that this application be dismissed.

VOTE: 4-0 (Cummings, Lewis, McIntosh and McCants to dismiss Harps not present, not voting)

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

ATTESTED by:



STEVEN E. SHER

Acting Secretary of the Board

FINAL DATE OF THE ORDER:

MAR 1 1976