

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12992, of Anne F. Cohen, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the use provisions (Section 3104) to use both of the subject premises for general office use in an R-4 District at the premises 232 and 234 - 6th Street, S.E. (Square 872, Lots 57 and 802 respectively).

HEARING DATES: July 25, 1979 and September 12, 1979  
DECISION DATE: September 12, 1979

ORDER

This application was advertised and originally scheduled for public hearing on July 25, 1979. At that time, the applicant was represented by counsel, who requested a postponement of the case. After hearing the comments of persons appearing in opposition to the application, the Board postponed the case and reset it for hearing on September 12, 1979.

On August 30, 1979, the applicant, by counsel, requested that the application be withdrawn. Section 3.24 of the Supplemental Rules of Practice and Procedure requires leave of the Board to withdraw a case after it has been advertised for hearing. At the public hearing held on September 12, 1979, the parties in opposition expressed no objection to the withdrawal.

As part of the applicant's request to withdraw, the applicant requested that the application fee be refunded. Section 3.24 of the Supplemental Rules of Practice and Procedure states in part "The application fee shall not be refunded upon withdrawal." The Board also notes that the Government of the District of Columbia has incurred significant out-of-pocket costs, including staff time, advertisement fee and transcription of the hearing, in the processing of the case.

In consideration of the foregoing circumstances, it is therefore ORDERED that the request to withdraw the application be GRANTED and that the request for a refund of the application fee be DENIED.

VOTE: 4-0 (Walter B. Lewis, Charles R. Norris, William F. McIntosh and Chloethiel Woodard Smith to allow WITHDRAWAL, Leonard L. McCants not present, not voting).

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

ATTESTED BY:

  
\_\_\_\_\_  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: \_\_\_\_\_

9 OCT 1979

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."