

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13254 of Mr. and Mrs. John Shaw, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the prohibition against allowing an addition to a non-conforming structure which now exceeds the lot occupancy requirements (Paragraph 7107.21) and the lot occupancy requirements (Sub-section 3303.1 and Paragraph 7107.23) to construct a rear addition to a single family row dwelling in an R-4 District at the premises 439 - 2nd Street, S.E., (Square 735, Lot 61).

HEARING DATE: June 11, 1980

DECISION DATE: June 11, 1980 (Bench Decision)

ORDER

The application was scheduled for the public hearing of June 11, 1980. The applicants did not comply with Section 3.53 of the Supplemental Rules of Practice and Procedure before the Board of Zoning Adjustment in that they did not post a notice of the hearing on the subject property. On June 10, 1980 the staff contacted the applicants for clarification and was advised that if the applicants did not appear at the public hearing of June 11, 1980 it evidenced that the applicants would not prosecute the application. The application was called at the public hearing. Neither the applicants nor anyone on their behalf were present.

Accordingly, it is ORDERED that for failure of prosecution the application is DISMISSED WITHOUT PREJUDICE.

VOTE: 3-0 (William F. McIntosh, Connie Fortune and Leonard L. McCants to DISMISS, Charles R. Norris and Ruby B. McZier not present, not voting).

ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 27 JUN 1980

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."