

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13685, of the McDonald's Corp., pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the use provisions (Sub-section 5101.4 and 1302.3) to permit a drive-in window addition to an existing restaurant located in a C-1 District and to permit a driveway and menu board in an R-2 District which will serve an existing restaurant located in a C-1 District at the premises 4950 South Dakota Avenue, N.E., (Square 3786, Lots 1 and 802).

HEARING DATES: February 24, 1982 and
April 28, 1982

DECISION DATE: April 28, 1982 (Bench Decision)

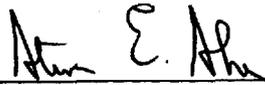
The subject application was scheduled for the public hearing of February 24, 1982. As a preliminary matter on that date, the Board considered a motion by counsel for the applicant for a continuance or postponement of the public hearing on the subject case. The grounds for the motion were that counsel had only recently been retained, counsel needed to obtain additional information from the applicant's home office in Illinois, and the applicant desired a meeting with the Zoning Administrator to discuss alternatives possibly eliminating the need for a use variance. A representative of Advisory Neighborhood Commission 5A was present at the hearing and had no objection to the continuance of the public hearing. The Chairman ruled that the applicant's motion for continuance be GRANTED.

The subject application was rescheduled for the public hearing of April 28, 1982. As a preliminary matter at that public hearing, the Board considered a letter from counsel for the applicant, dated March 30, 1982, which requested permission to withdraw the application. The reason for the request was to enable the applicant to determine whether there is sufficient merit to proceed with a use variance application by gathering more information and making traffic and real property analyses with regard to the proposed use.

Upon consideration of the foregoing facts, the Chairman RULED that the request to WITHDRAW be GRANTED.

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: MAY 24 1982

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."