

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13727, of Angelo A. Puglisi, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4101.41 to continue the use of a parking lot and for a variance from the prohibition against all-day commuter parking (Sub-paragraph 4101.413) in an SP-2 District at the premises 721-23 - 6th Street, N.W., (Square 486, Lots 11 and 12).

HEARING DATE: April 21, 1982
DECISION DATE: April 21, 1982 (Bench Decision)

ORDER

The subject application was scheduled for the public hearing of April 21, 1982. By letter of April 8, 1982, the operator of the lot, Parking Management, Inc., which was also the agent for the applicant, Angelo A. Puglisi, the owner of the property, requested a continuance of the public hearing on the grounds that Mr. Puglisi would be out of town on the scheduled hearing date. The same request was made by James H. Blondell of PMI at the public hearing.

Section 3.5 of the Supplemental Rules of Practice and Procedure before the BZA requires that the owner, the lessee, if any, and the operator be present at the hearing. The Board finds that both the owner and the operator have been before the Board on many occasions and are familiar with the Board's rules. The Board finds that the applicant and the agent were both first advised of the public hearing date on March 19, 1982. The Board finds that the request for a continuance is not based on good cause and that the request is based solely on the applicant's convenience. The Board finds that such a continuance would be disruptive of the schedule of the Board, would impact adversely on the Board's adhering to its published schedule and inconvenience other applicants desirous of having their cases heard.

Upon consideration of the foregoing facts, it is ORDERED that the request for continuance is DENIED and the application is DISMISSED for failure of the applicant to comply with Section 3.5 of the Supplemental Rules of Practice and Procedure.

VOTE: 4-0 (Walter B. Lewis, Connie Fortune, William F. McIntosh and Charles R. Norris to DISMISS; Douglas J. Patton ABSTAINING).

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

ATTESTED BY: 
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: MAY 12 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."