

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13820, of Rafael and Julia Glower, 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 allowable floor area ratio requirements (Paragraph 7107.21), the floor area ratio requirements (Sub-section 3302.1 and Paragraph 7107.23) and the lot occupancy requirements (Sub-section 3303.1 and Paragraph 7107.23) for a proposed addition to an existing row dwelling which is a non-conforming structure in a D/R-5-B District at the premises 2025 Hillyer Place, N.W., (Square 93, Lot 107).

HEARING DATE: September 15, 1982

DECISION DATE: October 5, 1983

ORDER

The subject application was scheduled for the public hearing of September 15, 1982. At that public hearing, the Board granted the applicant's request for a continuance in order to afford the applicant sufficient time to amend the plans and have them reviewed by the Zoning Administrator. By letters dated December 29, 1982, and February 1, 1983, the staff of the Zoning Secretariat requested the applicant to advise the Zoning Secretariat of the status of the application and advised the applicant that if no response was received, the application was subject to dismissal. By letter dated February 17, 1983, the applicant informed the Zoning Secretariat that the review of the plans was delayed due to a lengthy business trip involving the responsible parties and that a further continuance was requested.

By letters dated May 23 and August 15, 1983, the staff of the Zoning Secretariat again requested the applicant to advise of the status of the application. The letter from the staff dated August 15, 1983 was sent by certified mail and further advised the applicant that failure to respond would cause the staff to request the Board to dismiss the application for failure of prosecution. The return receipt evidencing delivery of the letter to the applicant on August 17 was delivered to the Zoning Secretariat on August 22, 1983. No response was received.

At its public meeting of October 5, 1983, the staff of the Zoning Secretariat requested the Board to dismiss the application for lack of diligent prosecution.

Upon consideration of the foregoing facts, it is hereby ORDERED that the application is DISMISSED for failure to prosecute.

VOTE: 5-0 (Carrie Thornhill, Douglas J. Patton, William F. McIntosh, Maybelle T. Bennett and Charles R. Norris to DISMISS).

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

ATTESTED BY:

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

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

OCT 17 1983

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."

13820order/LJP1