

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



ORDER DISMISSING APPEAL NO. 14650

SPECIAL MEETING DATE: July 22, 1987  
DECISION DATE: July 22, 1987

Appeal No. 14650 was filed June 4, 1987 by Advisory Neighborhood Commission 5A, appealing a "proposed issuance" of a Certificate of Occupancy for a convenience store at 2840-2844 Bladensburg Road, N.E., Lots 1-2, 800, in Square 4337. On its face, the appeal shows that the appeal anticipates a decision which has not yet been rendered. The Board's Acting Executive Director placed this appeal before the Board at a special meeting on July 22, 1987, for the Board to decide whether to dismiss the appeal or exercise jurisdiction. At the special meeting, the Acting Executive Director advised the Board that the Office of the Corporation Counsel concurred with the view that D.C. Code section 5-424(f) (1981) does not authorize an appeal from an administrative decision before the decision has been rendered.

The Board is of the same view. Clearly, a decision which has not yet been made can not be appealed to the Board. Accordingly, it is ORDERED that Appeal No. 14650 is DISMISSED.

VOTE: 4-0 (Paula L. Jewell, Charles R. Norris, Carrie L. Thornhill and William F. McIntosh to dismiss, John G. Parsons, not present, not voting).

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

ATTESTED BY:

  
EDWARD L. CURRY  
Acting Executive Director

AUG 5 1987

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

UNDER 11 DCMR 3101, "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."

appeal 14650/LJP23