

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15150 of Galilee Baptist Church, pursuant to 11 DCMR 3107.2, for a variance from the off-street parking requirements (Sub-section 2101.1), a variance to allow an accessory parking lot without the required landscaping (Sub-section 2117.11), and a variance to allow parking spaces that are not accessible at all times (Sub-section 2117.4) for the construction of a church in a C-2-A District at premises 2252 Minnesota Avenue, S.E., (Square 5561, Lot 90).

HEARING DATES: October 18, 1989 and January 10, 1990
DECISION DATE: January 10, 1990 (Bench Decision)

ORDER

The application was originally scheduled for public hearing on October 18, 1989. The case appeared on the preliminary agenda for that date because no affidavit of posting was submitted for the record. By letter dated October 11, 1989 and by representative at the public hearing, the applicant requested postponement of the case. The request for postponement was due to the withdrawal of a major portion of the ancillary parking on which the applicant had depended in support of its requested variance. The applicant's representative further testified that the property had not been properly posted in accordance with the provisions of 11 DCMR 3317.4. The Board continued the application to its public hearing of January 10, 1990.

At the public hearing of January 10, 1990, the case appeared on the preliminary agenda because no affidavit of posting was submitted for the record. The record contains a letter from counsel for the applicant requesting a postponement of the public hearing due to the applicant's need to revise its case and further due to counsel's scheduling conflicts. The Board called the case as a preliminary matter, in the order in which it was scheduled, and at the conclusion of the public hearing of January 10, 1990. There was no response from any representative of the applicant.

The Board finds that there is no evidence of compliance with the posting requirements necessary for the processing of applications before the Board, that the application has been previously continued, and that no representative of the applicant was present at the public hearing to explain the deficiencies in the posting or to hear the Board's decision regarding the request for postponement.

Upon consideration of the foregoing facts, it is ORDERED that the application be DISMISSED for failure of prosecution.

VOTE: 4-0 (Charles R. Norris, Paula L. Jewell, William F. McIntosh and Carrie L. Thornhill to dismiss).

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

ATTESTED BY:


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER:

JAN 29 1990

UNDER 11 DCMR 3103.1, "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."

15150order/LJP56

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 15150

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a letter has been mail to all parties, dated JAN 29 1999, and mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Robt J. Nash
FAIA & Assoc., PC
6188 Oxon Hill Road
Oxon Hill, MD 20245

Galilee Baptist Church
2252 Minnesota Ave., S.E.
D.C. 20020

Rosalyn E. Pugh, Esq.
James H. Taylor, PC
9200 Basil Court #100
Landover, MD 20785

Clifton Chambers, Chairperson
Advisory Neighborhood Commission 6-C
2041 Martin Luther King Jr. Ave., S.E.
Suite 300
Washington, D. C. 20020


EDWARD L. CURRY
Executive Director

DATE: 29 1999