

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15426 of Ernest C. Smith, pursuant to 11 DCMR 3107.2, for a variance from the use provisions (Sub-section 330.5) to allow office use of the first floor of a structure in the R-4 District at premises 1801 - 9th Street, N.W., (Square 394, Lot 810).

HEARING DATE: Not scheduled
DECISION DATE: February 6, 1991

ORDER TO DISMISS

The application was accepted for filing on September 20, 1990. The materials submitted by the applicant at the time of the initial filing were not sufficient to permit further processing of the application in accordance with the provisions of Chapter 33 of the Zoning Regulations.

By letter dated October 10, 1990, the Executive Director of the Office of Zoning Secretariat informed the applicant that the application could not be processed further unless the applicant submitted the specified materials necessary to complete the application. The Executive Director further advised the applicant that failure to submit the specified materials by November 20, 1990 would result in a recommendation from the staff to the Board that the application be dismissed.

At the Public Meeting of February 6, 1991, the staff noted that the materials necessary to complete the application had not been submitted and recommended that the Board dismiss the application for failure of prosecution.

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

VOTE: 4-0 (Sheri M. Pruitt, Paula L. Jewell, Charles R. Norris and Carrie L. Thornhill to dismiss).

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

ATTESTED BY:

Edward L. Curry

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FINAL DATE OF ORDER: FEB 22 1991

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."

15426Order/SS/BHS

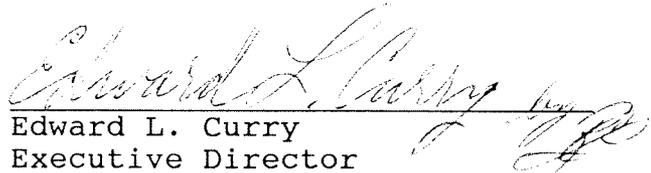
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As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a letter has been mail to all parties, and FEB 22 1991 and mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and to is listed below:

Earnest C. Smith
6609 Woodley Road
Clinton, Maryland 20735


Edward L. Curry
Executive Director

DATE: FEB 22 1991

Attes.9/BHS