

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



ORDER DISMISSING APPLICATION

Application No. 15779 of Avatar Builders and Developers, Inc., pursuant to 11 DCMR 3107.2, for a variance from the use provisions (Sub-section 330.5), a variance from the lot area requirements (Subsection 401.3), a variance from the off-street parking requirements (Subsection 2101.1), a variance from the side yard requirements (Subsection 405.9), and a variance from the allowable lot occupancy requirements (Subsection 403.2) for construction of a four-unit apartment house in an R-4 District at premises 1525 A Street, S.E. (Square 1072, Lot 814).

DECISION DATE: September 3, 1997

Application No. 15779 of Avatar Builders and Developers, Inc. was filed with the Board of Zoning Adjustment on October 13, 1992. The application was heard on February 10, 1993. The application was continued for further hearing, but since the applicant has not performed any further actions to proceed, no date could be set. Madeliene H. Dobbins, Director of the Office of Zoning sent a letter on June 12, 1997 asking the applicant for an indication of whether it intended to proceed with or withdraw the application. However, no further action was taken by the applicant to either withdraw the application or to proceed with the case. The only reasonable result of the applicant's election not to proceed pursuant to the Board's Rules is dismissal of the application.

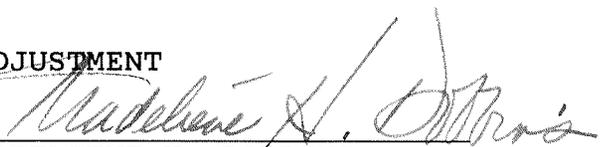
The applicant has left the Board no reasonable alternative other than to dismiss this application for failure to prosecute.

Accordingly, it is **ORDERED** that this application is **DISMISSED** for want of prosecution.

VOTE: 4-0 (Laura M. Richards, Sheila Cross Reid, Betty King, and Susan M. Hinton to dismiss).

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

ATTESTED BY:


MADELIENE H. DOBBINS
Director

FINAL DATE OF ORDER: SEP 11 1997

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UNDER 11 DCMR 3103.1, "NO DECISION 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."

15779 order/AZ

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BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 15779

As Director of the Board of Zoning Adjustment, I certify and attest that on SEP 11 1997 a copy of the order entered on that date in this matter was mailed prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

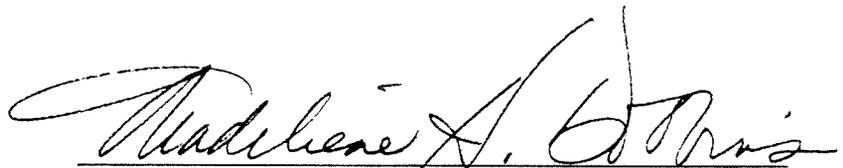
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MADELIENE H. DOBBINS
Director

DATE: SEP 11 1997