

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



ORDER DISMISSING APPEAL

Appeal No. 15823 of F Street Real Estate Company, pursuant to 3105.1 and 3200.2, from the decisions of the Zoning Administrator and the Assistant City Administrator for Economic Development, made on or about March 8 and 23, 1993 to the effect that the subject building is subject to the provisions of Section 1704.2 for a vacant nine-story department store in a DD/C-4 District at premises 1401 F Street, NW (Square 224, Lot 824).

DECISION DATE: October 1, 1997

Appeal No. 15823 of F Street Real Estate Company was filed with the Board of Zoning Adjustment on March 23, 1993 and scheduled for public hearing on May 19, 1993. BZA Application No. 15822 was also filed on March 23, 1993 to allow conversion from a department store to office use on the same property. The subject appeal was postponed indefinitely pending the outcome of BZA application No. 15822. The BZA issued Order No. 15822 on October 28, 1993, granting the application with conditions. Subsequently, by decision dated April 25, 1996, the District of Columbia Court of Appeals issued a decision, in Downtown Cluster of Congregations v. District of Columbia Board of Zoning Adjustment, affirming the Board's decision in Application No. 15822. In addition, by Order No. 822, the Zoning Commission approved a zoning text amendment related to existing department stores that also is consistent with the Board's approval in BZA Application No. 15822.

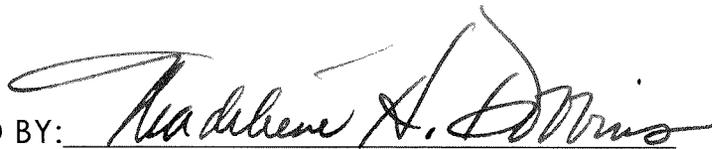
On August 20, 1997, Madeliene H. Dobbins, Director of the Office of Zoning sent a letter to the appellant asking the appellant to submit a written request to withdraw the appeal. By letter dated August 29, 1997, the appellant requested that the appeal be dismissed as moot for the reasons referenced in this order. The only reasonable result in this case is the dismissal of the appeal.

Accordingly, it is ORDERED that this appeal is DISMISSED as moot.

VOTE: 4-0 (Susan Morgan Hinton, Maybelle Taylor Bennett, Laura M. Richards and Sheila Cross Reid to dismiss; Betty King not present, not voting).

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

ATTESTED BY:



MADELIENE H. DOBBINS
Director

Final Date of Order: OCT 14 1997

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."

Ord15823/AZ

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA Appeal No. 15823

As Director of the Board of Zoning Adjustment, I certify and attest that on OCT 14 1997 a copy of the order entered on that date in this matter was mailed first class, postage prepaid to each party in this matter, and who is listed below:

Wayne S. Quin, Esquire
Wilkes, Artis, Hedrick & Lane
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F Street Real Estate Company
c/o Frances Dimond
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Helen M. Kramer
Chairperson, ANC 2F
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A handwritten signature in cursive script, reading "Madeliene H. Dobbins".

MADELIENE H. DOBBINS
Director

DATE OCT 14 1997