

# Government of the District of Columbia

## ZONING COMMISSION



ZONING COMMISSION ORDER NO. 356  
CASE NO. 81-5  
October 8, 1981

On March 24, 1981, the District of Columbia Zoning Commission received an application from Nicholas M. Nafpliotis to amend the Zoning Map of the District of Columbia from D/C-2-A to C-2-C for lot 801 in Square 68 for property located at 1415 22nd Street, N.W. The application authorized Ernie A. Green, the contract purchaser and potential developer of the property, to represent the owner and prosecute the application.

At its public meeting held on May 14, 1981, the Commission determined to schedule a public hearing on the application. The Commission also determined that it would consider rezoning the property to R-5-B, D/R-5-B or C-2-B, in addition to the C-2-C requested by the applicant. Pursuant to appropriate notice, the public hearing was held on August 10, 1981, where the applicant presented his case and the Commission heard testimony from various government agencies and the Advisory Neighborhood Commission 2B, both in support of and opposition to the proposed rezoning.

The Commission considered the application for proposed action as a preliminary matter at an unrelated public hearing on September 21, 1981. At that time, with four Commissioners present and voting, motions to both grant and deny the application failed to carry a majority of the members of the Commission. After further discussion, the Commission determined to reopen the record to allow the parties an additional opportunity to submit information in writing relative to whether the site should be rezoned to C-2-C.

Pursuant to the notice of reopening of the record, Advisory Neighborhood Commission 2B submitted a memorandum dated October 5, 1981 opposing rezoning to C-2-C. The applicant by letter dated October 5, 1981, requested permission to withdraw the application without prejudice. The applicant noted his desire to further explore the planning implications, the impact of the height issue and the implication of applying for a Planned Unit Development. The applicant further noted his desire of conferring further with the ANC and neighbors of the site.

Upon consideration of the applicant's request, the Commission determined that sufficient reasons were presented to allow the applicant the opportunity to withdraw the application. It is therefore hereby ordered that the subject application for re-zoning is withdrawn without prejudice to the filing of a new application at a later date.

Vote of the Commission taken at the public meeting held on October 8, 1981: 3-0 (Commissioners Lindsley Williams, John G. Parsons and Walter B. Lewis to allow withdrawal, Commissioner Ruby B. McZier not voting, having recused herself, Commissioner George M. White, not present not voting).



WALTER B. LEWIS  
Chairman  
Zoning Commission



STEVEN E. SHER  
Executive Director  
Zoning Secretariat

In accordance with the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia this order is final and effective on NOV 27 1981.