

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Appeal No. 12152 of the Citizens Association of Georgetown, pursuant to Section 8102 and 8206 of the Zoning Regulations from the decision of the Zoning Administrator that a brick kiln may be located in the sub-standard rear yard of the non-conforming structure in a C-1 District at the premises 2605 "P" Street, N.W. (Square 1265, Lot 92).

HEARING DATES: July 21, 1976, March 22 & April 26, 1977

DECISION DATES: June 7, 1977 and February 1, 1978

DISPOSITION: The Board GRANTED the Appeal and REVERSED the Decision of the Zoning Administrator by a Vote of 3-0 (Leonard L. McCants, William F. McIntosh, Charles R. Norris to GRANT).

FINAL DATE OF ORDER: March 28, 1978

ORDER

Upon consideration of the intervenor's motion to reopen the record and conduct further hearing, pursuant to Rule 5.3, filed February 9, 1978, the Board finds that the motion fails to identify substantive areas that were not considered by the Board in its deliberations on the matter, and that no reasonable purpose would be served by holding further hearing. It is therefore ORDERED that the Motion to reopen the record and conduct further hearing is DENIED

DECISION DATE: March 1, 1978

VOTE: 4-0 (Charles R. Norris, Chloethiel Woodard Smith, William F. McIntosh and Leonard L. McCants to not REOPEN the Record).

Upon consideration of the intervenor's MOTION for rehearing, reargument or reconsideration, dated April 10, 1978, the Board finds that the motion fails to state an acceptable basis of error on the part of the Board to support the motion. It is therefore ORDERED that the Intervenor's Motion for Rehearing, Reargument or Reconsideration is DENIED.

DECISION DATE: May 3, 1978

VOTE: 3-0 (Charles R. Norris, Leonard L. McCants and William F. McIntosh to DENY, Chloethiel Woodard Smith and Walter B. Lewis not voting, not having heard the case).

ATTESTED BY:

  
STEVEN E. SHER, Executive Director

FINAL DATE: 19 MAY 1978

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Appeal No. 12152 of the Citizens Association of Georgetown, pursuant to Section 8102 and 8206 of the Zoning Regulations, from the decision of the Zoning Administrator that a brick kiln may be located in the Sub-standard rear yard of the non-conforming structure in a C-1 District at the premises 2605 "P" Street, N.W., (Square 1265, Lot 92).

HEARING DATES: July 21, 1976, March 22 and April 26, 1977  
DECISION DATES: June 7, 1977 and February 1, 1978  
DISPOSITION: The Board GRANTED the Appeal and REVERSED the Decision of the Zoning Administrator by a vote of 3-0 (Leonard L. McCants, William F. McIntosh, Charles R. Norris to GRANT).

FINAL DATE OF ORDER: March 28, 1978

ORDER

Following the Board's DENIAL of the application on March 28, 1978, the applicant filed a petition for review of the decision with the District of Columbia Court of Appeals. By judgement dated November 5, 1980, the Court of Appeals set aside the Order of the BZA. It held that the Citizens Association of Georgetown was barred by the principle of laches from appealing the Zoning Administrator's decision to the BZA. The Court held that it need not deal with the other contentions of the petitioner, Taiko Goto. Upon consideration of the foregoing facts, the Chair ORDERED that the Order of the Board dated March 28, 1978, is VACATED, and that the appeal of the Citizens Association of Georgetown be DISMISSED.

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

ATTESTED BY: Alan E. Allen

FINAL DATE OF ORDER: 7 MAY 1981

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "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."