

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12290 of the Grand Duchy of Luxembourg, for a special exception under Sub-section 7104.2 for a change in the non-conforming use of a chancery to a four unit apartment house and law office in the R-3 District at 2210 Massachusetts Avenue, N.W., basement, first, second and third floors, (Square 2511, Lot 35).

HEARING DATES: March 16 & June 15, 1977

DECISION DATE: September 7, 1977

O R D E R

1. By BZA Order No. 12290, dated October 14, 1977, the Board GRANTED this application.

2. The Sheridan-Kalorama Neighborhood Council and Philip R. Melkye filed a petition for review of the Order in the District of Columbia Court of Appeals.

3. By Judgement, dated May 7, 1979, the Court of Appeals REVERSED the Order of the BZA.

4. The intervenors, Grand Duchy of Luxembourg, et al., petitioned the Court of Appeals for Reconsideration by the hearing panel and alternatively, for rehearing en banc. The respondent, District of Columbia Board of Zoning Adjustment also moved for a Rehearing.

5. By Order, dated December 24, 1979, the Court of Appeals DENIED the petition of the intervenors and the motion of the respondent. The Court affirmed its conclusion of May 7, 1979 but substituted a new footnote six in its opinion.

Accordingly, it is ORDERED that BZA Order No. 12290, dated October 14, 1977, is hereby VACATED and pursuant to the Order of the Court, the application is DENIED.

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

ATTESTED By:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER

6 MAR 1980

Application No. 12990
Page 2

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.