

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12924, of Bender Associates, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Sub-section 3308.2 to allow a roof structure to have walls of unequal height and for a variance from the height limitations for roof structures (Paragraph 5201.24), and for a special exception under Paragraph 5303.11 to waive the rear yard requirements, all to allow construction of an office-retail building in the C-4 District at the premises 1120 "G" Street, N. W., (Square 320, Lots 15 and 806).

HEARING DATE: May 23, 1979
DECISION DATE: July 11, 1979

DISPOSITION: The Board DENIED the special exception and variance for the roof structures by a vote of 3-0 (John Parsons, Chloethiel Woodard Smith and Leonard L. McCants to deny, William F. McIntosh not voting, not having heard the case.) The Board GRANTED the waiver of the rear yard requirements by a vote of 3-0 (John Parsons, Chloethiel Woodard Smith and Leonard L. McCants to grant, William F. McIntosh not voting, not having heard the case.)

FINAL DATE OF ORDER: September 6, 1979

ORDER

The applicant filed a Motion for Reconsideration on August 31, 1979. Section 5.45 of the Supplemental Rules of Practice and Procedure before the Board of Zoning Adjustment requires that a Motion for Reconsideration must be **carried** by four affirmative votes. Upon consideration of the applicant's Motion for Reconsideration, a motion by Chloethiel Woodard Smith to reconsider failed for lack of a second. The Chair ruled that the Motion for Reconsideration was DENIED for failure to obtain four affirmative votes as required by the aforementioned Section 5.45.

DECISION DATE: October 3, 1979

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

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ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

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."

FINAL DATE OF ORDER: 6 MAR 1980