

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12931, of Eugenie B. Duncan, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the use provisions (Section 3103) to use the second floor of the subject premises as a rooming and boarding house consisting of five persons in an R-3 District at the premises 901 Allison Street, N. W., (Square 3106, Lot 30).

HEARING DATE: May 16, 1979

DECISION DATE: June 6, 1979

ORDER

The above referenced application was scheduled and heard at the public hearing on Wednesday, May 16, 1979.

During the course of the hearing the Board was made aware of a discrepancy in the application for a Certificate of Occupancy in that the number of persons from the Department of Human Resources residing on the premises was stated incorrectly. The applicant testified at the public hearing that there were four persons from DHR residing on the subject premises. James E. Bess, of the Zoning Administrator's office, advised that if there were no more than four individuals from DHR, rather than five as stated on the application for a Certificate of Occupancy, the application for Certificate of Occupancy could be approved as a matter-of-right by the Zoning Administrator's office under the Community Residence Facility Act. That act provides for up to four residents from DHR to reside as a single family.

Based upon the foregoing information the subject application is DISMISSED for lack of jurisdiction.

VOTE: 4-0 (Charles R. Norris, John G. Parsons, Chloethiel Woodard Smith and Leonard L. McCants to dismiss, William F. McIntosh not voting, not having heard the case).

BZA Application No. 12931
Page 2

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

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

FINAL DATE OF ORDER: 17 AUG 1979

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."