

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12948, of Sarem Properties, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the minimum lot area requirements (Sub-section 3301.1) to convert the subject premises to an apartment house of four units, basement, first, second and third floors, in an R-4 District at the premises 1701 Kilbourne Place, N.W.

HEARING DATE: August 22, 1979

DECISION DATE: October 3, 1979

DISPOSITION: Application DENIED by a Vote of 3-1 (Leonard L. McCants, Chloethiel Woodard Smith and Charles R. Norris to deny; Ruby B. McZier opposed; William F. McIntosh not voting, not having heard the case).

FINAL DATE OF ORDER: January 4, 1980

ORDER

The applicant filed a motion for Reconsideration of the Board's Order denying the application. The motion was not filed timely, since the final date of the Order was January 4, 1980, the motion was filed on February 29, 1980, and Section 5.41 requires the motion to be filed within ten days. However, based on the applicant's filing, the Board determined there was good cause for not filing the motion due to the applicant's illness, and waived the normal ten day rule. All parties to the application were served. Upon consideration of the Motion, the response of the parties thereto and the Order, the Board finds that the Motion fails to state specifically, the respects in which the final decision is claimed to be erroneous. The Board also finds that there is no matter in the motion that had not been considered previously by the Board. The Board concludes that it has committed no error in deciding the application. It is therefore ORDERED that the MOTION for RECONSIDERATION is DENIED.

VOTE: 4-0 (Charles R. Norris, Leonard L. McCants, Connie Fortune and William F. McIntosh to DENY).

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

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

FINAL DATE OF ORDER: 21 APR 1980

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."