

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13056, of Christian Dutilh and Peter Schwartz, as amended, pursuant to Sub-section 8207.2 of the Zoning Regulations, for special exceptions under Paragraph 3105.42 to permit a subdivision and construction of a group of thirteen dwellings and under Sub-section 3307.1 to permit the thirteen dwellings with division walls to be deemed a single building and under Sub-section 7205.3 to allow parking in front of the dwellings and within a court in an R-5-A District at the premises 4400 Lingan Road, N.W., (Square 1356, Lots 9, 10, 853, 854 and parts of street and alleys to be closed).

HEARING DATE: October 17, 1979

DECISION DATE: November 7, 1979

DISPOSITION: Application granted with conditions by a vote of 3-0 (Walter B. Lewis, Charles R. Norris and William F. McIntosh to GRANT, Chloethiel Woodard Smith not voting, not having heard the case, Leonard L. McCants not present, not voting).

FINAL DATE OF ORDER: February 4, 1980

FINDINGS OF FACT:

1. By Order dated February 4, 1980, the Board approved construction of thirteen dwelling units on the subject property in accordance with specific plans submitted to the record, marked as Exhibit No. 26.

2. By letter dated May 23, 1980, the contract purchaser requested the Board to approve modifications to the revised plans.

3. By letter dated August 6, 1980, the owners of the property authorized the contract purchaser to represent them in this regard.

4. The contract purchaser proposes to increase the number of parking spaces on the site from thirteen to eighteen. The five additional spaces will be used for visitor parking and will be separated from the thirteen spaces for residents. The visitor parking will be reached from the public alley off Lingan Road. The parking will be separated from Lingan Road by a low brick retaining wall on one side.

5. The contract purchaser further proposes to modify the front exterior elevations, by changing window locations and modifying the roof profile.

6. The applicant therefore requests the Board to approve the plans marked as Exhibit No. 36 of the record.

7. There were no parties to the case other than the applicant

CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the revised plans do not change the relief requested from the Board, that no variances are required and that all of the material facts which the Board relied on in granting the application are still relevant. It is therefore ordered that the revised plans submitted by the applicant, marked as Exhibit No. 36 of the record are hereby APPROVED, and shall be substituted for the respective sheets of the original approved plans, marked as Exhibit No. 26 of the record. In all other respects, the Board's Order of February 4, 1980 shall remain in full force and effect.

DATE OF BOARD MEETING: June 4, 1980

VOTE: 3-0 (Charles R. Norris, William F. McIntosh and Leonard L. McCants to APPROVE; Connie Fortune and John G. Parsons not voting).

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 31 OCT 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."