

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13093 of James E. Gibson, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the prohibition against allowing an addition to a dwelling which now exceeds the lot occupancy requirements (Sub-section 3303.1 and Paragraph 7107.23) and from the side yard requirements (Sub-section 3305.1 and Paragraph 7107.22) to permit a proposed rear deck addition to a row dwelling which is a non-conforming structure in an R-2 District at the premises 5328 41st Street, N. W., (Square 1742, Lot 50).

HEARING DATE: December 12, 1979

DECISION DATE: January 5, 1980

DISPOSITION: The Board GRANTED the application by a vote of 5-0 (Walter B. Lewis, William F. McIntosh, Connie Fortune, Leonard L. McCants to grant).

FINAL DATE OF ORDER: March 10, 1980

ORDER

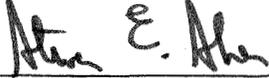
A property owner residing at 5332 - 41st Street filed a timely Motion for Reconsideration of the Board's Order granting the application. Among the grounds for the Motion are that the movant was not available for the public hearing of 12/12/79, that he feels that some of the neighbors may have been coerced into not opposing the application, that he feels his privacy is being invaded and that he fears that a precedent may be set. The Board notes that by letter of November 12, 1979 the movant had advised the Board of his objection and that the letter was part of the record. The Board further notes that in Finding of Fact No. 15 the Board noted the objection and in Finding of Fact No. 16 responded to it. Upon consideration of the Motion and the Order the Board finds that the Motion fails to state any substantive respects in which the final decision is claimed to be erroneous. 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: 5-0 (Walter B. Lewis, William F. McIntosh, Charles R. Norris, Connie Fortune and Leonard L. McCants to deny).

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BY ORDER OF THE BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
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STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER 27 MAY 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."

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