

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13679, of Russell Hughes pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the minimum lot area requirements (Sub-section 3301.1) to increase the number of units in an existing apartment house from three units to six units in an R-4 District at the premises 2719 - 13th Street, N. W., (Square 2859, Lot 57).

HEARING DATE: April 21, 1982
DECISION DATE: April 21, 1982 (Bench Decision)

DISPOSITION: The Board DENIED the application by a vote of 5-0 (Connie Fortune, Walter B. Lewis, William F. McIntosh, Douglas J. Patton and Charles R. Norris to DENY).

FINAL DATE OF ORDER: June 22, 1982

ORDER

By letter received on June 29, 1982, the agent for the applicant, Mr. Nathaniel Hughes, requested the Board to reconsider its decision in the subject application. The reason for the request was that Mr. Hughes believed he had presented his case in an incoherent manner due to his inexperience with regard to the hearing procedures of the Board. The letter further mentioned information regarding the history of the subject premises with regard to its configuration and Certificates of Occupancy.

Section 5.42 of the Rules of Practice and Procedure Before the Board of Zoning Adjustment provides that "A motion for reconsideration, rehearing, or reargument shall state specifically the respects in which the final decision is claimed to be erroneous, the grounds of the motion, and the relief sought. Within seven (7) days after a motion has been filed and served, any other party may file an answer in opposition to or in support of the motion."

The Board concludes that the motion was filed in a timely manner. The Board further concludes that the applicant has not alleged any error in the findings made by the Board nor is there any indication that the motion was served on any other party in

the case.

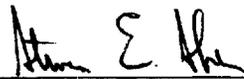
The Board concludes that the information proffered in the letter from the applicant's agent relating to the configuration of the building prior to the purchase of the building by the applicant, the existing Certificate of Occupancy for the subject building and an application made by the applicant for a new Certificate of Occupancy should have been submitted at the time of the public hearing.

Upon consideration of the foregoing, the Board concludes that its decision of April 21, 1982 was supported by the record, and that it made no errors in fact or law in deciding the application. Accordingly it is ORDERED that the MOTION for RECONSIDERATION IS DENIED.

VOTE: 5-0 (Connie Fortune, Walter B. Lewis, William F. McIntosh, Douglas J. Patton and Charles R. Norris to DENY).

BY ORDER OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: JUL 29 1982

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."