

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13822 of St. Francis Xavier Church, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Sub-paragraph 3102.42 to use the first and second floors of the subject premises as a community residence facility operated by SOME, Inc. for senior citizens for fifteen residents and four staff in an R-5-A District at the premises 2812 Pennsylvania Avenue, S.E., (Square 5550, Lot 808).

HEARING DATE: September 15, 1982  
DECISION DATE: October 6, 1982

ORDER

The subject application was scheduled for the public hearing of September 15, 1982. The case appeared on the preliminary calendar on that date because no affidavit of posting was filed. Neither the applicant nor a representative of the applicant was present at the public hearing when the matter was brought before the Board. The staff informed the Board that discussions with the applicant and the Zoning Administration's office had revealed that at the time that the applicant applied for certificate of occupancy for the use, another community resident facility was operating within 500 feet of the proposed facility, requiring Board approval of the proposed facility under Paragraph 3102.42. Subsequent to the filing of the application for a special exception, it was discovered that the other community resident facility was no longer in operation and a certificate of occupancy could be issued without Board approval.

The Board directed staff to request the applicant to inform the Board, in writing, of its desired disposition of the application. By letter dated September 29, 1982, the applicant advised the Board that it was in the process of filing for a certificate of occupancy, and requested that the Board dismiss the subject application.

Based on the foregoing, it is hereby ORDERED that the application is DISMISSED.

Vote 5-0 (Connie Fortune, Douglas J. Patton, William F. McIntosh and Charles R. Norris to DISMISS; Lindsley Williams to dismiss by proxy).

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

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

FINAL DATE OF ORDER: OCT 26 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."

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13823, of Stanley Peck, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the prohibition against permitting an addition to a non-conforming structure which now exceeds the allowable percentage of lot occupancy (Paragraph 7107.21), the lot occupancy requirements (Sub-section 3303.1 and Paragraph 7107.23) and the rear yard requirements (Sub-section 3304.1 and Paragraph 7107.22) for a proposed rear addition of a porch, deck and spiral staircase in an R-3 District at the premises 2905 Olive Street, N.W., (Square 1211, Lot 826).

HEARING DATE: September 22, 1982  
DECISION DATE: September 22, 1982 (Bench Decision)

ORDER

At the public hearing of September 22, 1982, the agent for the applicant requested permission to WITHDRAW the application. The reason for the requested withdrawal was that the applicant had become aware of substantial objections to the application and no longer desired to go forward with the proposed addition. Although opposition to the application was present at the hearing, there was no objection to the request for withdrawal. Upon consideration of the applicant's request, it is accordingly ORDERED that the application is WITHDRAWN.

VOTE: 4-0 (William F. McIntosh, Connie Fortune, Douglas J. Patton and Charles R. Norris to GRANT WITHDRAWAL; Lindsley Williams not present, not voting).

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

ATTESTED BY:

  
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STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: OCT 12 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 RULFS OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."