

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13827, of Jean C. Key, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the lot occupancy requirements (Sub-section 3303.1), the rear yard requirements (Sub-section 3304.1) and the open court requirements (Sub-section 3306.1) for a proposed rear addition (carport) to a semi-detached dwelling in an R-2 District at the premises 4407 Hayes Street, N.E., (Square 5129, Lot 82).

HEARING DATES: September 22 and November 17, 1982  
DECISION DATE: November 17, 1982

ORDER

The subject application appeared on the preliminary calendar for the public hearing of September 22, 1982. The affidavit of posting was filed in the record two days prior to the public hearing instead of five days. The affidavit evidenced that the property was posted three days prior to the public hearing instead of ten days as required by the Supplemental Rules of Practice and Procedure before the Board of Zoning Adjustment. The Chair ruled that the case be continued to the next available public hearing date.

The application was rescheduled for the public hearing of November 17, 1982. After discussion with the Board at that public hearing, the applicant stated that she was not familiar with the burden of proof necessary for the granting of the area variances requested in the subject application, namely the practical difficulty upon the owner arising out of some extraordinary or exceptional condition inherent in the property itself. The applicant further indicated that she was not prepared to address this issue.

Accordingly, it is ORDERED that the subject application is DISMISSED on the grounds that the applicant was unable to proceed. The dismissal is without prejudice to the refiling of a subsequent application.

VOTE: 5-0 (Walter B. Lewis, Douglas J. Patton, Carrie L. Thornhill, William F. McIntosh and Charles R. Norris to DISMISS).

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