

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13828 of the Government of Japan, pursuant to Sub-section 4605.2 of the Zoning Regulations, for a proposed addition to a chancery in a D/R-3 District at the premises 2500 Massachusetts Avenue, N.W. (Sq. 2500, Lots 8-16 and 34-43)

DECISION DATE October 6, 1982

ORDER

Subsequent to the filing of the subject application, the Congress of the United States enacted a law entitled the Foreign Missions Act which became effective on October 1, 1982. Section 206(f) of that law requires that any proceedings regarding chanceries must be of a rule-making rather than of an adjudicatory nature. The Board of Zoning Adjustment does not presently have in its Supplemental Rules of Practice and Procedure any rules concerning rule-making proceedings.

Section 206(d) of the law further sets forth specific criteria for the approval of chanceries by the Board. Section 206(j) of the law renders inapplicable any section of the Regulations that is not consistent with those criteria. The Zoning Regulations set forth in Sections 4603 and 4604 are not based solely on the specified criteria. Those regulations are therefore no longer in effect.

Based on the foregoing, the Board concludes that it has no jurisdiction to consider the subject application at this time. Accordingly it is ORDERED that the subject application is DISMISSED for lack of jurisdiction.

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

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

ATTESTED BY:



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 SUPPLEMENTAI RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."