

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14064, as amended, of Jean Friendly, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a reinstatement of BZA Order No. 13713, for variances from the rear yard requirements (Sub-section 3304.1) and the side yard requirements (Sub-section 3305.1) for a proposed hypothetical subdivision of Lot 817 for the purpose of using the accessory building as a principal use (dwelling) in an R-1-B District at the premises 1645 - 31st Street, N.W., (Square 1282, Lot 817).

HEARING DATE: November 9, 1983
DECISION DATE: December 7, 1983

ORDER

In Application No. 13713, by Order dated July 26, 1982, the Board approved the identical area variance relief as requested herein, for the same applicant to permit a hypothetical subdivision of Lot 87 for the purpose of using the accessory building as a principal use. The applicant did not proceed to file for a certificate of occupancy since he was still negotiating a scenic easement for the subject property, a condition to the Board's grant in the prior Order. In accordance with Paragraph 8205.12 of the Zoning Regulations, the approval expired after six months.

The applicant now proposes to go forward with the project. Alfred Friendly, co-applicant in the prior case, is now deceased. The entire estate previously held by Alfred and Jean Friendly as joint tenants passed to Jean Friendly in fee simple by operation of law. All rights in this application are vested in her.

The Board finds that none of the conditions prevailing when application No. 13713 was filed have changed other than the death of one of the applicants. The Board incorporates herein the findings of fact and Conclusions of Law set forth in Order No. 13713, dated July 29, 1982, a copy of which is attached. It is therefore ORDERED that the application is GRANTED SUBJECT to the same CONDITION set forth in BZA Order No. 13713, dated July 29, 1982.

VOTE: 4-0 (Walter B. Lewis, Carrie L. Thornhill, William F. McIntosh and Douglas J. Patton to grant; Charles R. Norris not present, not voting).

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

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

FINAL DATE OF ORDER: MAR 30 1984

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."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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