

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14324 of Brenda Gordon, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the floor area ratio requirements (Sub-section 3302.1) and from the prohibition against allowing an enlargement to an existing structure that now exceeds the allowable lot occupancy and floor area ratio provisions (Paragraph 7105.12) for a proposed enclosure of an existing balcony in an R-5-B District at premises 1737 T Street, N.W., (Square 151, Lot 19).

HEARING DATE: September 11, 1985
DECISION DATE: October 2, November 6, December 4 and 19, 1985

O R D E R

The subject application was heard at the public hearing of September 11, 1985. Mrs. Brenda Gordon, representing herself as the applicant, presented the case. There was opposition present at the public hearing. Subsequent to the public hearing, the subject application was scheduled for decision on October 2, November 6 and December 4, 1985. The Board deferred action on the case at each of those meetings.

The subject application was again scheduled for decision December 19, 1985. During the Board's deliberations on the application, the Board became aware that the property involved in the subject application was a condominium. Ms. Gordon owned one of six condominium units within the subject building. The other five units in the building were owned by other entities.

Section 301.1 of the Supplemental Rules of Practice and Procedure before the Board of Zoning Adjustment provides that the owner of property for which application is made or an authorized agent, may file an application before the Board. That section further provides that a letter signed by the owner authorizing the agent to act on his or her behalf must be included with the application.

The Board finds that the relief requested was based on computations taking into account the entire structure. If granted, the relief would increase the existing nonconformity of the entire structure. The Board finds that Ms. Gordon is not the owner of the entire property, nor does the record contain written authorization from the condominium

association or other unit owners which would permit Ms. Gordon to process the case. The application, therefore, is not in compliance with Section 301.1 of the Rules. The Board concludes that the application is not properly before the Board and, therefore, the merits of the case can not be considered. Accordingly, it is ORDERED that the application is DISMISSED.

VOTE: 3-0 (William F. McIntosh, Charles R. Norris, and Carrie L. Thornhill to dismiss; John G. Parsons and Douglas J. Patton not present, not voting).

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

ATTESTED BY: *Cecil B. Tucker*
CECIL B. TUCKER
Acting Executive Director

FINAL DATE OF ORDER: ~~26 MAR 09~~

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."

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