

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14411 of William and Peter Calomiris, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Paragraph 4101.44 to convert floors three through eight from apartment to SP office uses and for a variance from the floor area ratio limitations (F.A.R. of 3.5) in an SP-2 District at premises 1112 - 16th Street, N.W., (Square 183, Lot 105).

HEARING DATE: April 9, 1986

DECISION DATE: May 7, 1986

DISPOSITION: The Board GRANTED the application by a vote of 4-0 (Charles R. Norris, Paula L. Jewell, William F. McIntosh and Carrie L. Thornhill to grant).

FINAL DATE OF ORDER: August 25, 1986

ORDER

The Board granted the application by final order dated August 25, 1986. Zion Amir, a party in opposition to the case, filed a timely motion for reconsideration or rehearing on September 4, 1986. The general bases for the motion are summarized as follows:

1. A decision in the case should be postponed until the applicant gives a bona fide offer of sale of the building to protect tenant rights.
2. A decision in the case should be postponed until resolution of litigation currently before the Landlord/Tenant Court regarding notice of eviction.

Counsel for the applicant, by letter dated September 10, 1986, opposed the motion on the grounds that it was wholly lacking in substance and without evidential or adjudicatory merit.

Upon consideration of the motion, response thereto, and its final order, the Board concludes that the opposition fails to state any respects in which the final decision of the Board is erroneous but merely requests that the Board's

decision be "postponed" until resolution of specific non-zoning related issues pending before other forums. Additionally, the opposition failed to offer any new material evidence which would have any bearing on the facts relied upon by the Board in reaching its decision. The Board concludes that it made no error in deciding the application and no allegation of error was made. The Board further concludes that the motion raises no materially different issues nor provides any evidence of a substantive nature that the Board has not previously considered and thoroughly addressed in its final order. The Board's decision was based on consideration of all the evidence presented by both the applicant and the opposition.

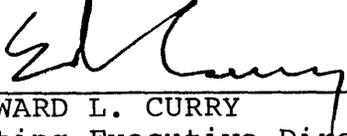
Accordingly, the motion for reconsideration or rehearing is hereby DENIED.

DECISION DATE: October 1, 1986

VOTE: 4-0 (Paula L. Jewell, Charles R. Norris, William F. McIntosh and Carrie L. Thornhill to deny reconsideration/rehearing).

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

ATTESTED BY:


EDWARD L. CURRY
Acting Executive Director

FINAL DATE OF ORDER: _____

OCT 28 1986

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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