

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14735 of the Marjorie Merriwether Post Foundation, pursuant to 11 DCMR 3107.2, for a variance (Sub-section 201.1) to allow additions to accessory buildings (library and gift shop) of a museum originally approved under BZA Order No. 12297, dated April 15, 1977 and BZA Order No. 13668 dated April 12, 1982, in an R-1-A District at premises 4155 Linnean Avenue, N.W., (Square 2245, Lot 800).

HEARING DATE: January 27, 1988
DECISION DATE: January 27, 1988 (Bench Decision)

DISPOSITION: The Board GRANTED the application by a vote of 3-0 (Paula L. Jewell, John G. Parsons, and Charles R. Norris to grant; William F. McIntosh and Carrie L. Thornhill not voting, not having heard the case).

FINAL DATE OF ORDER: March 28, 1988

ORDER

By letter dated March 23, 1990, counsel for the applicant requested the Board to waive its six month filing requirement to accept the applicant's request for a modification of the plans approved by the Board in its Order dated March 28, 1988. Counsel for the applicant indicated that construction in accordance with the approved plans was completed in June 1989 and the facility began operations shortly thereafter. The proposed modification of plans is being sought at this time due to problems which have only become evident after experience in operating the facility. The Board waived its Rules to accept the request for modification of plans at its public meeting of May 2, 1990.

The Board granted the application by its Order dated March 28, 1988 subject to the condition that construction be in accordance with the plans marked as Exhibit No. 8, as modified by Exhibit No. 20 of the record. The applicant is requesting permission to modify those plans. The proposed modification of plans provides for a new doorway centrally located on the north elevation of the existing building. The new doorway will be convenient to an existing pedestrian path, will provide direct access to the display area of the gift shop as opposed to the current entry through the staff

area at the rear of the shop, and will provide a second means of egress consistent with the current BOCA standards. The proposed modification of plans do not change the building area or footprint of the subject structure. There was no opposition to the proposed modification of plans.

The Board concludes that the proposed modification of the plans previously approved by the Board make no substantial change in the size, shape or configuration of the project. The material facts relied upon by the Board relative to the original application are unaffected by the proposed modification of plans. No additional zoning relief is required. It is therefore ORDERED that the modification of plans is APPROVED and that the plans marked as Exhibits No. 25 and 26 of the record are approved. In all other respects the Board's Order dated March 28, 1988 shall remain in full force and effect.

DECISION DATE: May 2, 1990

VOTE: 3-0 (John G. Parsons, Paula L. Jewell and Charles R. Norris to approve; William F. McIntosh and Carrie L. Thornhill not voting, not having heard the case).

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

ATTESTED BY:


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: JUN 3 1990

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "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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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.

14735order/BHS21

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 14735

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a letter has been mail to all parties, dated JUN 8 1990, and mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Christoper Collins, Esquire
Wilkes, Artis, Hedrick and Lane
1666 K Street, N.W.
Suite 1100
Washington, D.C. 20006

Majorie Merriwether Post Foundation
4155 Linnean Avenue, N.W.
Washington, D.C. 20008

Stanley Steinman, Chairperson
Advisory Neighborhood Commission 3-F
4401 Connecticut Avenue, N.W., Suite 205
Washington, D. C. 20016

A handwritten signature in black ink, appearing to read "E. L. Curry".

EDWARD L. CURRY
Executive Director

DATE: JUN 3 1990