

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14856 of James G. and Barbara Lanaham Mauro, pursuant to 11 DCMR 3107.2, for a variance from the maximum allowable lot occupancy requirements (Sub-section 403.2), a variance from the minimum side yard requirements (Sub-section 405.9), and a variance to allow an addition to a structure that currently exceeds the allowable percentage of lot occupancy requirements (Sub-section 2001.2) for the proposed construction of a two-story addition to a single-family dwelling in an R-1-B District at premises 1691 - 32nd Street, N.W., (Square 1281, Lot 9; Tax Lots 831 and 832).

HEARING DATES; September 21, 1988 and July 26, 1989
DECISION DATES: October 5, 1988 and July 26, 1989

DECISION DATE ON MOTION FOR RECONSIDERATION AND MOTION TO REOPEN RECORD: March 6, 1991

DISPOSITION: The Board **GRANTED** the application on October 5, 1988 by a vote of 5-0 (John G. Parsons, William F. McIntosh, Charles R. Norris and Carrie L. Thornhill to grant; Paula L. Jewell to grant by proxy). On June 28, 1989, the Board **STAYED** its **ORDER** by a vote of 4-1 (William F. McIntosh, Charles R. Norris, Paula L. Jewell, and Carrie L. Thornhill to approve; John G. Parsons opposed by proxy). On July 26, 1989, the Board **VACATED** the **STAY** and **REINSTATED** its previous decision to **APPROVE** by a vote of 5-0 (Charles R. Norris, William F. McIntosh, John G. Parsons, Carrie L. Thornhill, and Paula L. Jewell to approve). On January 9, 1991, the Board **VACATED** its prior Order to **APPROVE** and by Order of the Court **REVERSED** its decision and **DENIED** the application by a vote of 4-0 (Charles R. Norris, Paula L. Jewell, Carrie L. Thornhill to deny; John G. Parsons to deny by proxy; Sheri M. Pruitt not voting, not having heard the case).

FINAL DATE OF ORDER: March 31, July 6, and July 22, 1989
and January 31, 1991

ORDER

This application is before the Board on the motion of the applicant to: (1) reconsider the Order on remand, which became final on January 31, 1991; (2) and to reopen the record. Based upon the advice of the Executive Director of the Zoning Secretariat, and of the Deputy Corporation Counsel, Appellate Division, the Board concludes that the judgment by the District of

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Columbia Court of Appeals in this matter left the Board with no authority to do other than vacate its Order approving the application.

The reversal by the Court does not allow the Board to reopen the record, or to reconsider or modify the Order vacating the approval. For that reason, the Order on Remand does not require amendment, and the motions of the applicant to reconsider and to reopen the record are DENIED.

VOTE: 3-0 (Charles R. Norris, Carrie L. Thornhill and Paula L. Jewell to deny; John G. Parsons abstaining; Sheri M. Pruitt not voting, not having heard the case).

DECISION DATE: MARCH 6, 1991

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

ATTESTED BY:



EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: APR 29 1991

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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GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



APPLICATION/APPEAL NO. 14856

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order in this application/appeal dated APR 29 1991 has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

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EDWARD L. CURRY
Executive Director

DATE: APR 29 1991