

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application 14882 of Rock Creek Baptist Church, pursuant to 11 DCMR 3107.2 for a variance from the use provisions (Sub-section 330.5) to allow storage and distribution of pre-packaged food, customer services and the offices of a church in the basement, first and second floors, in an R-4 District at premises 727 and 729 Upshur Street and 4215 - 8th Street, N.W., (Square 3136, Lots 28, 43 and 44).

HEARING DATE: October 26, 1988
DECISION DATE: October 26, 1988 (Bench Decision)

ORDER

The application was scheduled for the Public Hearing of October 26, 1988. Proper notice of the application was given based on the information provided and relief requested by the applicant at the time the application was filed, which was for a variance from the use provisions to allow storage and distribution of pre-packaged foods, customer services and church offices. During the course of the applicant's testimony at the public hearing, the applicant indicated that the proposed use of the subject buildings differed from that advertised.

The Board concludes that the present application cannot go forward. The change in the proposed use of the buildings may result in a change to the requested relief or in the elimination of the need for relief and therefore, appropriate notice of the application in its present circumstances has not been given. It is therefore ORDERED that the application is DISMISSED as not properly before the Board without prejudice to refileing an application before the Board within ninety days.

VOTE: 5-0 (Charles R. Norris, William F. McIntosh, Paula L. Jewell, John G. Parsons and Carrie L. Thornhill to dismiss).

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


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: _____

NOV 18 1988

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."

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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