

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14906 of the Reserve Officers Association of the United States, pursuant to 11 DCMR 3108.1 and 3107.2, for a special exception under Sub-section 508.1 to make an addition to an office building, a variance from the rear yard requirements (Sub-section 534.2), a variance from the off-street parking requirements (Sub-section 2101.1), a variance from the floor area ratio requirements (Sub-section 1203.3), a variance from the height and number of stories requirement (Sub-section 1203.1), and a variance to allow an addition to a structure which creates new nonconformity of a structure provisions [Paragraphs 2001.3(b) and (c)] for the proposed construction of a five-story elevator addition to an office building in a CAP/SP-2 District at premises No. 1 Constitution Avenue, N.E., (Square 726, Lot 10).

HEARING DATE: December 14, 1988
DECISION DATE: December 14, 1988 (Bench Decision)

SUMMARY ORDER

The Board duly provided timely notice of the public hearing on this application, by publication in the D.C. Register, and by mail to ANC 6A and to owners of property within 200 feet of the site.

The site of the application is located in Advisory Neighborhood Commission ("ANC") 6A. ANC 6A, which is automatically a party to the application, did not submit written issues and concerns regarding the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a variance from the strict application of the requirements of 11 DCMR 534.2, 2101.1, 1203.3, 1203.1, 2001.3(b) and 2001.3(c), as well as for a special exception pursuant to 11 DCMR 508.1.

No person or entity appeared at the public hearing in opposition to the application or otherwise requested to participate as a party in opposition to this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof,

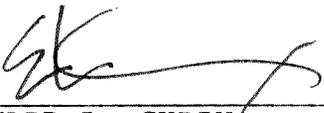
pursuant to 11 DCMR 3107 and 3108, and that the requested relief can be granted as in harmony with the general purpose and intent of the Zoning Regulations, without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and maps. It is therefore ORDERED that the application is GRANTED.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law.

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

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

ATTESTED BY:



EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: JAN 12 1989

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.

14906order/BHS

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 14906

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order of the Board in the above numbered case, said Order dated JAN 12 1989, has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Joon K. Rha
Mills, Clagett & Wening
1725 Eye Street, N.W.
Washington, D.C. 20006

Rear Admiral Bennett S. Sparks
Reserve Officers Association of the U.S.
#1 Constitution Avenue, N.E.
Washington, D.C. 20002

A handwritten signature in black ink, appearing to read "ELC", is written over a horizontal line.

EDWARD L. CURRY
Executive Director

DATE: JAN 12 1989