

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14974, of Dunphy Properties, Inc., as amended, pursuant to 11 DCMR 3108.1, for a special exception under Section 2003 to change a nonconforming use from retail appliance sales and service, first floor, to the offices of a general contractor on the first floor in an R-4 District at premises 719 F Street, N.E., (Square 892, Lot 70).

HEARING DATE: March 15, 1989
DECISION DATE: March 15, 1989 (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, by letter dated March 9, 1989, submitted written issues and concerns in support of 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 special exception pursuant to 11 DCMR 2003. No person or entity appeared at the hearing or otherwise requested to participate as a party in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

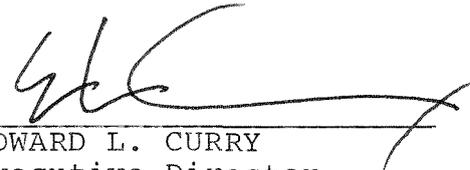
Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of 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: 4-0 (Elliott Carroll, Paula L. Jewell, William F. McIntosh and Carrie L. Thornhill to grant; Charles R. Norris not present, not voting).

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

ATTESTED BY:


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: _____

MAR 24 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.

14974order/LJP47

GOVERNMENT OF THE DISTRICT OF COLUMBIA
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APPLICATION No. 14974

As Acting 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 July 2, 1985, has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

James Hilliam
719 F Street, N.E.
D.C. 20002

J. Dunphy
One E Street, S.E.
D.C. 20003

Clarence Martin, Chairperson
Advisory Neighborhood Commission 6-A
Maury Elementary School
13th & Constitution Ave., N.E. Room 10
Washington, D. C. 20002


EDWARD L. CURRY
Executive Director

DATE: _____

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RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Sent to <i>J. Dunphy</i>	Street and No.	P.O., State and ZIP Code	Postage	Certified Fee	Special Delivery Fee	Restricted Delivery Fee	Return Receipt showing to whom and Date Delivered	Return Receipt showing to whom Date and Address of Delivery	TOTAL Postage and Fees	Postmark or Date
										14974