

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14999, of the International Union of Operating Engineers - Local 99, pursuant to 11 DCMR 3107.2, for a variance from the use provisions (Sub-section 201.1) to allow a trade school and the offices of a union in an R-1-B District at premises 2461 Wisconsin Avenue, N.W., (Square 1299, Lot 959).

HEARING DATE: March 22, 1989
DECISION DATE: March 22, 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 3B and to owners of property within 200 feet of the site.

The site of the application is located in Advisory Neighborhood Commission ("ANC") 3B. ANC 3B, which is automatically a party to the application, by letters dated March 5 and March 17, 1989, submitted written issues and concerns in support of the application. ANC 3C, which is in close proximity to the subject site, by letter dated March 9, 1989, offered no opposition to the application subject to several conditions.

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 201.1. 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 3107, 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, SUBJECT to the following CONDITIONS:

1. The number of students on the premises at any one time shall not exceed eighty.

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APPLICATION No. 14999

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 MAR 31 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:

Cynthia Giordano, Esquire
Linowes and Blocher
655 - 15th St., N.W. Suite 400
DC 20005

Dan Wedderburn, Chairperson
Advisory Neighborhood Commission 3-B
P.O. Box 32312, Calvert Station
DC 20007

Patricia Wamsley, Chairperson
Advisory Neighborhood Commission 3-C
2737 Devonshire Place, N.W.
DC 20008



EDWARD L. CURRY
Executive Director

DATE: MAR 31 1989