

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15254 of 500 H Street Limited Partnership, pursuant to 11 DCMR 3107.2, for a variance from the use provisions (Sub-section 501) to allow general offices for a proposed ten-story office addition to an existing hotel in an HR/SF-2 District at premises 500 H Street, N.W., (Square 486, Lot 38).

HEARING DATE: March 21, 1990  
DECISION DATE: March 21, 1990 (Bench Decision)

DISPOSITION: The Board GRANTED the application by a vote of 4-1 (Maybelle Taylor Bennett, Paula L. Jewell, Charles R. Norris and Carrie L. Thornhill to adopt; William F. McIntosh opposed to the motion).

FINAL DATE OF ORDER: April 5, 1990

ORDER

The Board granted the application by its Order dated April 5, 1990. By letter dated April 9, 1990, counsel for the applicant requested clarification of the Board's decision on the application. The basis for the request was that the Order, as issued, does not specify the particular relief which the Board granted, but indicates approval of both special exception relief under 11 DCMR 508 and variance relief from 11 DCMR 501. Counsel for the applicant noted that the relief was requested "in the alternative" as set forth in the advertisement of the case. Counsel advised that the requested clarification of the Board's decision would enable the Zoning Administrator to correctly review and process the application, and may have a potential impact on the issuance of a construction loan for the project. There was no response to the request for clarification of the Board's Order.

Based on consideration of the request and the record in the application, the Board concludes that its approval was based on the evidence submitted by the applicant in support of the granting of a variance from the use provisions. The Board further concludes that the granting of the use variance negates the need for special exception relief pursuant to Section 508 in that the office use specified would be permitted in the project as approved.

It is therefore ORDERED that the request for clarification of the Board's Order dated April 5, 1990 is hereby APPROVED and the Order is hereby amended to reflect the granting of a variance from the provisions of 11 DCMR 501 and to delete reference to the granting of a special exception pursuant to 11 DCMR 508. In all other respects, the Order of the Board, dated April 5, 1990, shall remain in full force and effect.

DECISION DATE: May 2, 1990

VOTE: 5-0 (Maybelle Taylor Bennett, Charles R. Norris, Paula L. Jewell, William F. McIntosh and Carrie L. Thornhill to approve).

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

ATTESTED BY:

  
EDWARD L. CURRY  
Executive Director

FINAL DATE OF ORDER: JUN 12 1990

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

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.

15254order/BHS21

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 15254

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that copies of orders dated JUN 12 1990 have been mailed postaged prepaid denying reconsideration and denying a stay have been mail to each parties, who appeared and participated in the public hearing concerning this matter, and who is listed below:

500 H Street Limited Partnership  
2828 - 10th Street, N.E.  
Washington, D.C. 20012

Reverend Donald Essex  
619 - 10th Street, N.E.  
Washington, D.C. 20001

Jacques B. DePuy, Esquire  
Stohlman, Beuchert, Egan & Smith  
1775 Pennsylvania Avenue, N.W.  
Suite 400  
Washington, D.C. 20006

Clifford Waddy, Chairperson  
Advisory Neighborhood Commission 2-C  
Garrison Elementary School  
1200 S Street, N.W., Suite 201  
Washington, D. C. 20009

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

EDWARD L. CURRY  
Executive Director

DATE: JUN 12 1990