

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15417 of Jeffrey Gardens Associates, pursuant to 11 DCMR 3107.2, for a variance from the use provisions (Sub-section 350.4) to allow office use of unit No. 103 to conduct social services to residents of an apartment complex in an R-5-A District at premises 4233 - 7th Street, S.E., (Square 6208, Lots 99, 100 and 101).

HEARING DATE: January 16, 1991  
DECISION DATE: January 16, 1991 (Bench Decision)

SUMMARY ORDER

The Board duly provided timely notice of public hearing on this application, by publication in the D.C. Register, and by mail to ANC 8D and to owners of property within 200 feet of the site.

The site of the application is located in Advisory Neighborhood Commission (ANC) 8D. ANC 8D, which is automatically a party to the application, did not submit written issues or concerns relative to 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 350.4. 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 that the requested relief can be granted 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 3331.1 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 (Sheri M. Pruitt, Paula L. Jewell, Charles R. Norris and Carrie L. Thornhill to grant; John G. Parsons not present, not voting).

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

ATTESTED BY:

  
\_\_\_\_\_  
EDWARD L. CURRY  
Executive Director

FINAL DATE OF ORDER:

JAN 31 1991

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHT 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.

15417Order/BHS

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



**APPLICATION NO. 15417**

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a letter has been mailed to all parties, dated JAN 31 1991 and mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and to is listed below:

Judith L. Dobbins  
Washington Urban League, Inc.  
3501 - 14th Street, N.W.  
Washington, D.C. 20010

Jeffrey Gardens Associates  
Conrad Monts  
401 C Street, N.E.  
Washington, D.C. 20002

Peggy Parker  
4374 - 7th Street, S.E., #304  
Washington, D.C. 20032

Constance Mobley, Chairperson  
Advisory Neighborhood Commission 8D  
153 Galveston Place, S.W., #5  
Washington, D.C. 20032

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

EDWARD L. CURRY  
Executive Director

DATE: JAN 31 1991

Att.3/BHS

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15419 of Samuel Reynolds, pursuant to 11 DCMR 3107.2, for a variance from the floor area ratio requirements (Sub-section 771.2) for an addition to an office building in a C-2-A District at premises 3105 Georgia Avenue, N.W., (Square 3047, Lot 111).

HEARING DATE: JANUARY 16, 1991  
DECISION DATE: JANUARY 16, 1991 (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 1A and to owners of property within 200 feet of the site.

The site of the application is located in Advisory Neighborhood Commission (ANC) 1A. ANC 1A, which is automatically a party to the application, did not submit written issues and concerns relative to 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 771.2. 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 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 (Charles R. Norris, Paula L. Jewell, Sheri M. Pruitt and Carrie L. Thornhill to grant; John G. Parsons not present, not voting).

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