

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15663 of Carol S. Weissbrod, pursuant to 11 DCMR 3107.2 for a variance to allow an addition to an existing nonconforming structure that now does not meet the minimum rear yard and will extend the nonconforming rear yard [Paragraph 2001.3(b) and (c)], and a variance from the rear yard requirements (sub-section 401.1) for a one-story addition to a nonconforming single-family dwelling in an R-1-B District at premises 3808 Kanawha Street, N.W. (Square 1856, Lot 831).

HEARING DATE: June 10, 1992  
DECISION DATE: June 10, 1992 (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 Advisory Neighborhood Commission (ANC) 3G and to owners of property within 200 feet of the site.

The site of the application is located within the jurisdiction of ANC 3G. ANC 3G, which is automatically a party to the application, filed a written statement of 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 variance from the strict application of the requirements of 11 DCMR 20013(b) and (c). No person or entity appeared at the public hearing in opposition to the application 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 Map. It is therefore **ORDERED** that the application is **GRANTED**.

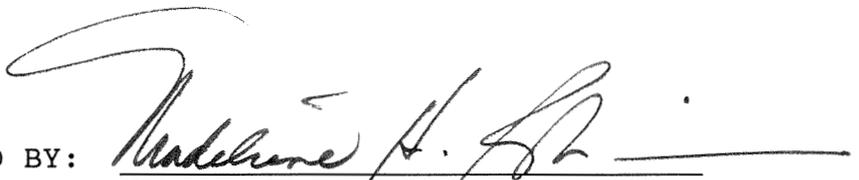
Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.1 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law.

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VOTE: 4-0 (John G. Parsons, Angel F. Clarens, Sheri M. Pruitt and Paula L. Jewell to grant; Carrie L. Thornhill not present, not voting).

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

ATTESTED BY:

  
MADELIENE H. ROBINSON  
Acting Director

FINAL DATE OF ORDER: JUN 26 1992

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.

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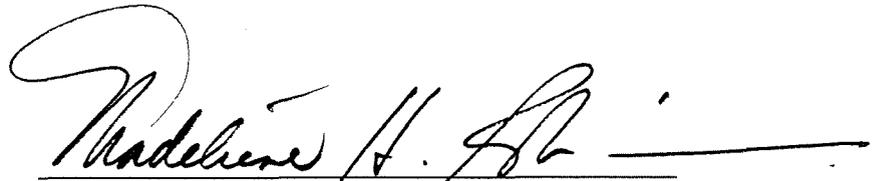
USA APPLICATION NO. 15663

As Acting Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on JUN 26 1992 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

John Sheridan & Ann Lewis  
503 Connecticut Avenue, N.W.  
Washington, D.C. 20007

Carol S. Weissbrod  
808 Kanawha Street, N.W.  
Washington, D.C. 20015

Robert Diamond, Chairperson  
Advisory Neighborhood Commission 3-G  
P.O. Box 6252  
Washington, D.C. 20015

  
MADELIENE H. ROBINSON  
Acting Director

DATE: JUN 26 1992