

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15731 of Saint Andrews Parish, pursuant to 11 DCMR 3107.2, for a variance from the location of parking requirements (Subsection 2116.3) to allow more than 50 percent of the required parking spaces to be located more than 400 feet from a church at Paul Jr. High School (8th and Oglethorpe Street, N.W., Square 2985, Lot 814), or, in the alternative, a variance from the off-street parking requirements (Subsection 2101.1) for an addition to a church in an R-2 District at premises 701 Oglethorpe Street, N.W. (Square 3158, Lot 824).

HEARING DATE: September 16, 1992
DECISION DATE: September 16, 1992 (Bench Decision)

DISPOSITION: The Board **GRANTED** the application by a vote of 4-0 (Paula L. Jewell, Angel F. Clarens, Sheri M. Pruitt, and Carrie L. Thornhill to grant; Tersh Boasberg not present, not voting).

FINAL DATE OF ORDER: October 21, 1992

MODIFICATION ORDER

By letter dated April 26, 1993, the applicant's representative requested a waiver of the requirements of 11 DCMR 3335.3 which requires that a request for modification of plans shall be filed not later than six months after the final date of the written order approving the application. The subject request for modification of plans which should have been filed no later than April 21, 1993, was received on April 23, 1993, two days after the filing deadline. The applicant's representative indicated that the late filing was caused by delays in negotiations with contractors relative to the proposed modifications. At its public meeting of May 5, 1993, the Board **WAIVED** its Rules to accept the request for modification of plans.

The Board granted the application by its order dated October 21, 1992 subject to three conditions. By letter received on April 23, 1993, the applicant's representative submitted a request for a modification of the plans previously approved by the Board. The requested modification of plans would result in a modification to the northern stairway to accommodate handicapped access to the facility and would eliminate the proposed eastern addition at this time. The proposed modifications are limited to changes to the physical layout of the structure on the site and would not have any impact on the number or location of parking spaces provided. The proposed modifications to the previously approved plans are requested because the church's budget cannot support the scope of work originally proposed by the applicant.

By letter dated April 30, 1993, the Single Member District Commissioner for ANC 4B05 indicated that the ANC had no objections to the proposed modification of plans. There was no opposition to the proposed modification of plans.

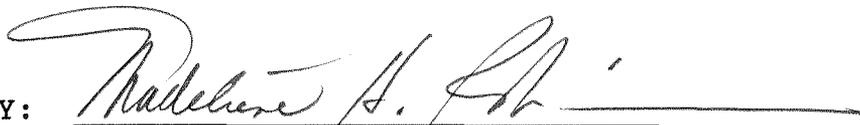
Based on the foregoing, the Board concludes that the proposed modifications are minor architectural revisions which have no impact on the relief originally granted by the Board. The material facts relied upon by the Board are unaffected by the proposed modification of plans. No additional zoning relief is required. It is therefore ORDERED that the proposed MODIFICATION of PLANS is APPROVED and that the plans marked as Exhibit No. 31C of the record shall be substituted for those plans originally approved by the Board and marked as Exhibit No. 27 of the record. In all other respects, the Board's order dated October 21, 1992 shall remain in full force and effect.

DECISION DATE: May 5, 1993

VOTE: 4-0 (Sheri M. Pruitt, Carrie L. Thornhill, Paula L. Jewell and Angel F. Clarens to approve).

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

ATTESTED BY:


MADELIENE H. ROBINSON
Director

FINAL DATE OF ORDER: JUN 30 1993

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 SUPPLEMENMTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

BZA APPLICATION NO. 15731
PAGE NO. 3

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

ord215731/ss/LJP

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 15731

As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on JUN 30 1993 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:

Ralph Belton
Belton-McGhee Associates
765 Fairmont Street, N.W.
Washington, D.C. 20001

Vannie Taylor, III, Chairperson
Advisory Neighborhood Commission 4-B
6856 Eastern Avenue, N.W.,
Washington, D.C. 20012


MADELIENE H. ROBINSON
Director

DATE: JUN 30 1993