

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15953 of Agnes Narain, pursuant to 11 DCMR 3107.2, for a variance to allow an addition to an existing nonconforming structure that will extend the existing nonconforming rear yard and will create a new nonconformity in lot occupancy [Paragraph 2001.3(a) and (c)], a variance from the rear yard requirements (Subsection 404.1), and a variance from the lot occupancy requirements (Subsection 403.2) for an exit stair addition to a rooming house in an R-4 District at premises 2000 North Capitol Street, N.W. (Square 3117, Lot 79).

HEARING DATE: June 8, 1994
MEETING DATES: July 6, September 7, and
October 5, 1994
DECISION DATE: December 7, 1994

DISMISSAL ORDER

This application appeared on the public hearing agenda of June 8, 1994. The plans submitted with the application indicated that the applicant proposed to construct an enclosed porch and exterior stairs at the rear of the site. The Zoning Administrator's memorandum dated January 28, 1994 stated that three variances would be needed for the proposed construction: 1) a variance to extend an existing nonconformity of lot; 2) a rear yard variance; and 3) a lot occupancy variance.

At the public hearing, the applicant's representative ("the applicant") testified that there is an existing open porch and stairway at the rear of the structure which replaced a previously existing porch that was damaged by fire. The applicant expressed an interest in retaining the existing porch and stairs as built. The Board noted, however that the plans submitted into the record only reflect the proposed construction, and that the Zoning Administrator would need to review plans of the existing structure for proper consideration by the Board. The Board allowed the applicant to amend the application to request approval of the existing rear structure. By memorandum dated August 4, 1994 the Board referred plans of the existing structure to the Zoning Administrator. The Board requested the Zoning Administrator to review the plans and identify the zoning relief needed for the as-built condition.

By memorandum dated October 26, 1994, the Zoning Administrator's office stated that it reviewed the plans and determined that the Board's approval is not required. The Board informed the applicant of the Zoning Administrator's determination

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by memorandum dated November 16, 1994. The Board ultimately disposed of the matter at its public meeting of December 7, 1994.

Upon consideration of the above facts, it is hereby ORDERED that the application is DISMISSED.

VOTE: 4-0 (Maybelle Taylor Bennett, Craig Ellis, Angel F. Clarens, and Laura M. Richards to dismiss; Susan Morgan Hinton not voting, not having heard the case).

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

ATTESTED BY:


MADELIENE H. ROBINSON
Director

FINAL DATE OF ORDER:

FEB 2 1995

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."

15953Order/TWR/bhs

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As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on FEB 2 1995 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:

H.J. Narain
918 42nd Street, N.E.
Washington, D.C. 20019

Gwen Jones
2020 N. Capitol Street, N.W.
Washington, D.C. 20001

James D. Berry, Jr., Chairperson
Advisory Neighborhood Commission 5C
1723 3rd Street, N.E.
Washington, D.C. 20002


MADELIENE H. ROBINSON
Director

DATE: FEB 2 1995

15953Att/bhs