

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15960 of the G Street Venture and 601 13th Street, N.W. Associates, L.P., as amended, pursuant to 11 DCMR 3107.2, for a variance to allow a driveway entrance to required parking [Paragraph 1701.4(b)] in a DD/C-4 District at premises 1310 G Street, N.W. (Square 253, Lot 53).

HEARING DATE: July 13, 1994  
DECISION DATE: July 13, 1994 (Bench Decision)

SUMMARY ORDER

The applicant in its pre-hearing submission amended the application by eliminating the special exception under Sections 411.11 and 770.6(b). Plans for the penthouse structure were revised to comply with the set back requirements of the Zoning Regulations.

The Board provided proper and timely notice of public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2F and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 2F. ANC 2F, which is automatically a party to this application, did not file a written statement of 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 770.6(b). No person or entity appeared at the public hearing in opposition to this 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, that there exists an exceptional or extraordinary situation or condition related to the property which creates a practical difficulty for the owner in complying with the Zoning Regulations, 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 this application is **GRANTED**.

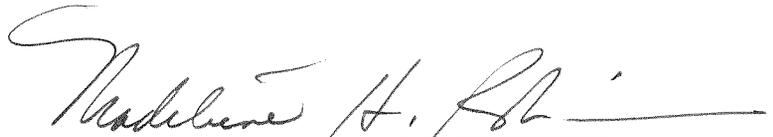
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Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.1 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is appropriate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

VOTE: 4-0 (Laura M. Richards, George Evans, Jerrily R. Kress and Craig Ellis to grant; Angel F. Clarens not present, not voting).

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

ATTESTED BY:



MADELIENE H. ROBINSON  
Director

FINAL DATE OF ORDER: JUL 29 1994

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.

15960Order/SS/bhs

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As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on JUL 29 1994 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:

Christopher H. Collins, Esquire  
Wilkes, Artis, Hedrick & Lane  
1666 K Street, N.W.  
Suite 1100  
Washington, D.C. 20006

John Asadoorian  
90 Care Real Estate Services  
1700 Pennsylvania Avenue, N.W.  
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Alverta Munlyn, Chairperson  
Advisory Neighborhood Commission 2C  
1127 Sursum Corda Court, N.W.  
Washington, D.C. 20001

Jim Brandon, Chairperson  
Advisory Neighborhood Commission 2F  
P.O. Box 32312  
Washington, D.C. 20043

A handwritten signature in cursive script, reading "Madeliene H. Robinson".

MADELIENE H. ROBINSON  
Director

DATE: JUL 29 1994

15960Att/bhs