

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 16093 of Robert W. Duemling, pursuant to 11 DCMR 3108.1, for a special exception under Subsection 202.9 to establish an accessory apartment in an existing single-family detached dwelling in an R-1-B District at premises 2950 University Terrace, N.W. (Square 1426, Lot 36)

HEARING DATES: February 21 and April 17, 1996  
DECISION DATE: April 17, 1996 (Bench Decision)

SUMMARY ORDER

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) 3D and to owners of property within 200 feet of the site.

The site of the application is located within the jurisdiction of ANC 3D. ANC 3D, which is automatically a party to the application, submitted 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 special exception pursuant to 11 DCMR 202.9. 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 3108, and that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with 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 3331.3 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 appropriate in this case.

VOTE: 5-0 (Angel F. Clarens, Susan Morgan Hinton, Sheila Cross Reid, Herbert Franklin and Laura M. Richards to grant).



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BZA APPLICATION NO. 16093

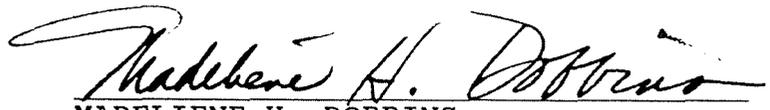
As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on MAY 14 1996 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

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Palisades Station  
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MADELIENE H. DOBBINS  
Director

DATE: MAY 14 1996