

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 16131 of the District of Columbia Housing Authority and the Ellen Wilson Redevelopment Limited Liability Company, pursuant to 11 DCMR 3108.1 and 3107.2, for the following special exception and variance relief:

1. Special Exception under Section 2516 to allow new construction on theoretical lots;
2. Special exception under Paragraph 2516.5(b) for the front yard setback requirements;
3. Special exception under Paragraph 2516.6(b) and (c) for ingress and egress requirements;
4. Special exception under 2116 to allow required parking spaces to be located on another lot;
5. Special exception under Section 205 to establish a child development center;
6. Special exception under Section 209 to establish a community center;
7. A variance from the rear yard requirements (Subsection 404.1);
8. A variance from the side yard requirements (Subsection 405.9);
9. A variance from the off-street parking requirements (Subsection 2101.1);
10. A variance from the allowable lot occupancy requirements (Subsection 403.2), and;
11. A variance from the size of required off-street parking spaces (Subsection 2115.1).

For the construction of 62 flats and 30 single-family dwellings, a community center with a child development center and utility shed in an R-5-B District at premises 704-710 6<sup>th</sup> Street, S.E.; 715 and 719 7<sup>th</sup> Street, S.E.; 610-638 Ellen Wilson Place, S.E.; 611-639 Ellen Wilson Place S.E.; 600-610 I Street, S.E.; 614-632 I Street, S.E.; 636-654 I Street, S.E.; 721-733 7<sup>th</sup> Street, S.E.; 737 7<sup>th</sup> Street, S.E.; 649-659 I Street, S.E.; 745 and 743 7<sup>th</sup> Street, S.E.; 619-645 I Street, S.E.; and, 601 and 603 I Street, S.E. (Square 878 Lots 1-93, Parcels A-D).

**HEARING DATE:** April 17, 1996

**DECISION DATE:** June 5, 1996

**DISPOSITION:** The Board **GRANTED** the application by a vote of 4-0 (Susan Morgan Hinton, Herbert M. Franklin, Sheila Cross Reid and Laura M. Richards to grant; Angel F. Clarens not voting, not having heard the case).

On November 6, 1996, the Board **APPROVED** a modification of plans by a vote of 4-0 (Laura M. Richards and Sheila Cross Reid to approve; Susan Morgan Hinton and Herbert M. Franklin to approve by absentee vote; Angel F. Clarens not voting, not having heard the case).

**FINAL DATES OF ORDERS:** September 23, 1996 and February 3, 1997

### **MODIFICATION ORDER**

The Board granted the application, with conditions, by its Order dated September 23, 1996, and approved a modification of plans by its Order dated February 3, 1997. By letter dated August 1, 1997 the applicant's counsel filed a timely motion for further modification of approved plans in accordance with Section 3335 of the Zoning Regulations.

The applicant stated that the modification would affect only two of the 93 theoretical lots, Lots 91 and 92. These lots would be affected in the following ways:

- The building footprints would change as shown on the sketches;
- The building areas would increase slightly;
- The FAR would increase by 0.01; and
- The building on Lot 92 would move 1.0 foot to the south.

The applicant stated that the proposed revision would not affect the shape or area of the theoretical lots themselves, and no zoning relief would be required that has not been previously granted.

Counsel for the applicant stated that the revisions are sought because the revised configuration of the two dwellings would simplify the floor plan, reduce construction costs and improve the design.

Pursuant to Section 3335, counsel for the applicant stated that this request for modification was filed not later than six months after the final date of the written order approving a previous modification of plans.

Counsel noted that the request was served on all parties to the original application. Finally, counsel stated that the requested modifications do not change the material facts the Board relied upon in approving the application.

The other parties to the application did not submit responses to the request for modification.

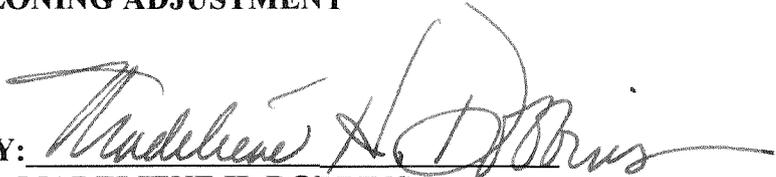
Upon consideration of the motion and the applicable regulations, the Board concludes that the proposed modifications are minor revisions which have no impact on the relief originally granted or the plans as subsequently modified by the Board. The material facts relied upon by the Board are unaffected by the proposed modification of plans. No further zoning relief is required. It is therefore **ORDERED** that the proposed **MODIFICATION OF PLANS** be **APPROVED**. It is further **ORDERED** that both the originally approved plans and the subsequently modified plans be further modified by the revisions submitted to the Board on August 1, 1997.

**DECISION DATE:** September 3, 1997

**VOTE: 4-0** (Laura M. Richards, Sheila Cross Reid and Susan M. Hinton to approve the further modification of plans; Herbert M. Franklin to approve by absentee vote).

**BY ORDER OF THE BOARD OF ZONING ADJUSTMENT**

**ATTESTED BY:**



**MADELIENE H. DOBBINS**

**Director**

**FEB 24 1998**

**FINAL DATE OF ORDER:** \_\_\_\_\_

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 TWO YEARS, 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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GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



**BZA APPLICATION 16131**

As Director of the Board of Zoning Adjustment, I certify and attest that on FEB 24 1998 a copy of the order entered on that date in this matter was mailed first class, postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Jacques B. DePuy, Esquire  
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4000 Cathedral Avenue, N.W.  
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Attested By: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Madeliene H. Dobbins", written over a horizontal line.

**MADELIENE H. DOBBINS**  
**Director**

**Date:** FEB 24 1998

Attest/bjw