

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 16281 of United Supreme Council of Mason, as amended, pursuant to 11 DCMR 3107.2, for a variance from the off-street parking requirements (Subsection 2101.1) and a variance from Subsection 2116.4 to allow accessory parking spaces to be located between a building line and a property line abutting a street to allow accessory compact car spaces in a parking area having less than the requisite 25 total spaces for the alteration and conversion of an existing building to a Lodge Meeting Hall in a C-1/R-1-B District at premises 1730 Hamlin Street, N.E. (Square 4137, Lot 804).

**HEARING DATE: November 19, 1997**

**DECISION DATE: November 19, 1997 (Bench Decision)**

**SUMMARY ORDER**

The Board approved two variances of the three originally advertised. The Board determined that a variance from Subsection 2115.2 is not needed based on its (the Board's) review of the application.

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) 5A and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 5A. ANC 5A, which is automatically a party to this 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 variances from the strict application of the requirements of 11 DCMR 2101.1 and 2116.4. 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 an undue hardship 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 be **GRANTED, SUBJECT**, to the following **CONDITIONS**:

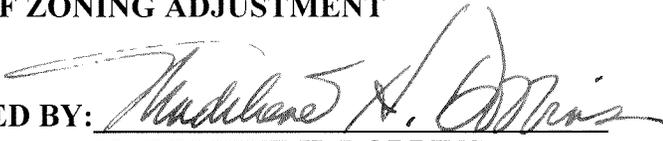
1. The applicant shall provide 35 parking spaces, including 8 compact spaces.
2. The parking lot shall be striped in accordance with the plans marked as Exhibit No. 24 of the record.
3. The applicant shall install wheel stops on the parking lot.
4. The parking lot shall be kept free of refuse and debris.

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: 3-0** (Sheila Cross Reid, Betty King and Susan Morgan Hinton to grant; Laura M. Richards not present, not voting).

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

ATTESTED BY:

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

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

DEC 4 1997

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 AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATION OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

**16281ord/jn/ljp**

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 16281

As Director of the Board of Zoning Adjustment, I certify and attest that on  
DEC 4 1997 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 blow:

Ollie Spencer, Sr.  
1118 G Street, S.E.  
Washington, D.C. 20003

Joseph L. Bowser, Chairperson  
Advisory Neighborhood Commission 5A  
Slowe School Demountable  
14<sup>th</sup> and Irving Streets, N.E.  
Washington, D.C. 20017

Attested By:

  
MADELIENE H. DOBBINS  
Director

Date: DEC 4 1997

Attest/ljp