

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 16283 of William F. Graeter and Steve Miller, pursuant to 11 DCMR 3107.2 for a variance from Subsection 2507.3 to allow conversion of an existing structure on an alley that abuts an alley that is less than 30 feet in width for conversion and renovation of a carriage house to a dwelling unit with a two-car garage in an R-4 District at premises Rear 815 C Street, NE (Lot 90, Square 917).

**HEARING DATE: December 3, 1997**

**DECISION DATE: December 3, 1997 (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) 6A and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 6A. ANC 6A, which is automatically a party to this application, did not file a written statement of issues and concerns related to the application.

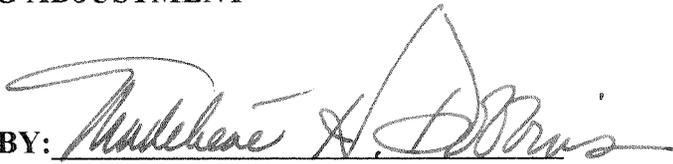
As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for variances from the strict application of the requirements of 11 DCMR 2507.3. No person or entity appeared at the public hearing in opposition 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 **CONDITION** that no windows shall be placed on the north or west walls of the carriage house structure.

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, Susan Morgan Hinton, Betty King 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 17 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.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



**BZA APPLICATION NO. 16283**

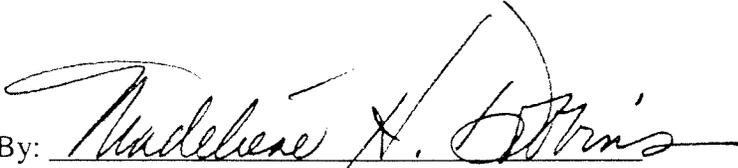
As Director of the Board of Zoning Adjustment, I certify and attest that on  
DEC 17 1997 a copy of the order entered on that date in this matter was  
mailed first class, postage prepaid to each party who appeared and participated in the public  
hearing concerning this matter, and who is listed below:

William F. Graeter  
216 9<sup>th</sup> Street, N.E.  
Washington, D.C. 20002

James Schulman  
631 E Street, N.E.  
Washington, D.C. 20002

Daniel M. Pernell, III, Chairperson  
Advisory Neighborhood Commission 6A  
700 Constitution Avenue, N.E., Suite 1-515  
Washington, D.C. 20002

Attested By:

  
MADELIENE H. DOBBINS  
Director

Date: DEC 17 1997

Attest/ljp