

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 16374 of E. Frank Snellings, pursuant to 11 DCMR 3107.2, for a variance from the parking requirements for two spaces (Subsection 2101.1) for the construction of a two-unit flat in a CAP/R-4 District at premises 405-407 East Capitol Street, S.E., (Square 817, Lot 31).

HEARING DATE: October 21, 1998
DECISION DATE: October 21, 1998

SUMMARY ORDER

This order reflects that the Zoning Administrator has indicated that the correct address for the subject premises is 405 and 405B East Capitol Street, S.E., and not 405 and 407 East Capitol Street, S.E. as indicated by the applicant.

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) 6B and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 6B. ANC 6B, which is automatically a party to this application, filed a written statement 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 variance from the strict application of the requirements of 11 DCMR Subsection 2101.1. No person or entity appearing as a party to this case testified in opposition to the application. 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 3107.2 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 the application be **GRANTED**.

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BZA APPLICATION No. 16374

As Interim Director of the Office of Zoning, I hereby certify and attest that on DEC - 1 1998 a copy of the order entered on that date in this matter before the Board of Zoning Adjustment 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:

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Attested by:

Sheri M. Pruitt-Williams
for **SHERI M. PRUITT-WILLIAMS**
Interim Director

Date: DEC - 1 1998

Attest/16374/POH