

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



March 14, 2003

Page Chiapella, President
Nebraska Avenue Neighborhood Association
5126 Nebraska Avenue, N.W.
Washington, D.C. 20008-2047

Re: BZA Appeal No. 17010 – 5111 Connecticut Avenue, N.W.

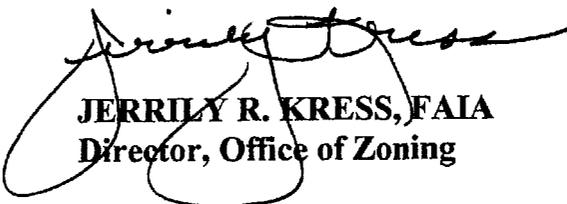
Dear Ms. Chiapella:

The Board of Zoning Adjustment (Board) has authorized the Office of Zoning (OZ) to inform you that your appeal filed on March 7, 2003, as supplemented on March 11, 2003, will not be considered at this time as your appeal as been determined to be premature. The appropriate time for filing the appeal would be if a Certificate of Occupancy permit (C of O) is issued and the alleged violation of the Zoning Regulations continues to exist. The reason is that the Board has found the building permits you reference to be valid. Any alleged violations that occurs during or after construction is not appealable until after a C of O is issued.

The OZ would also note that some of the issues raised by your filing appear to only concern alleged building code violations. For example, your appeal cites a change to the style of an entrance doorway. Such a change would not be appropriately before the Board as the façade design, doors, and fenestration of the building were never part of any plan approved by the Zoning Commission (ZC) or Board. This project was neither a PUD nor required special exception or variance relief. Thus, the ZC or Board approved no plans or elevations. , any change made to the design of the entrance during the building permit approval process or construction could therefore be done if approved by BLRA as long as it does not violate the Zoning Regulations or the Construction Codes.

Please call me on (202) 727-6311, if you have any questions relevant to the foregoing.

SINCERELY,



JERRILY R. KRESS, FAIA
Director, Office of Zoning

cc: Robert Kelly
Maureen E. Dwyer