

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Board of Zoning Adjustment**



**Application No. 17553 of Naun Segovia**, pursuant to 11 DCMR § 3103.2 for variances from the building height and story limitations under section 400, a variance from the rear yard requirements under section 404 and a variance from the open court requirements under section 406, to allow the expansion of an existing apartment house from 20 units to 34 units in the R-4 District at premises 1327 Euclid Street, N.W. (Square 2861, Lot 4, 76 and 77).

Note: *The application was amended to eliminate the variance from the prohibition on enlarging a structure devoted to a nonconforming use under subsection 2002.5*

**HEARING DATE:** January 23, 2007  
**DECISION DATE:** February 6, 2007

**SUMMARY ORDER**

**SELF-CERTIFIED**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register and by mail to Advisory Neighborhood Commission (ANC) 1B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1B, which is automatically a party to this application. ANC 1B initially submitted a timely report in opposition to the application, but later submitted a report in support of the application that was one day past the filing deadline. The Board accepted the latter report into the record. The Office of Planning (OP) submitted a report in opposition to the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3102.2, for variances from § 400, 404 and 406. No parties appeared at the public hearing in opposition to this 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 and having given great weight to the ANC and the Office of Planning reports filed in this case, the Board concludes that the applicant

has met the burden of proving under 11 DCMR §§ 3103.2, (400, 404 and 406) that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the 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.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**.

**VOTE:**      **3-2-0** (Curtis L. Etherly, Jr., Geoffrey H. Griffis and Ruthanne G. Miller to approve; John A. Mann II to deny; Gregory N. Jeffries to deny by absentee vote)

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

Each concurring member approved the issuance of this order.

**ATTESTED BY:** \_\_\_\_\_

  
**JERRILY R. KRESS, FAIA**  
Director, Office of Zoning 

**FINAL DATE OF ORDER: MARCH 2, 2007**

UNDER 11 DCMR 3125.9, "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 FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION

FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE §§ 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

TWR

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Board of Zoning Adjustment**



**BZA APPLICATION NO. 17553**

As Director of the Office of Zoning, I hereby certify and attest that on **MARCH 2, 2007**, a copy of the order entered on that date in this matter was mailed first class, postage prepaid or delivered via inter-agency mail, to each party and public agency who appeared and participated in the public hearing concerning the matter, and who is listed below:

Fred L. Greene  
President  
FLGA, LLC  
1625 Massachusetts Avenue, N.W., Suite 400  
Washington, D.C. 20036

Naun Segovia  
7616 Alaska Avenue, N.W.  
Washington, D.C. 20012

Chairperson  
Advisory Neighborhood Commission 1B  
P.O. Box 73710  
Washington, D.C. 20056

Single Member District Commissioner 1B08  
Advisory Neighborhood Commission 1B  
P.O. Box 73710  
Washington, D.C. 20056

Bill Crews  
Zoning Administrator  
Dept. of Consumer and Regulatory Affairs  
Building and Land Regulation Administration  
941 North Capitol Street, N.E., Suite 2000  
Washington, D.C. 20002

Councilmember Harry Thomas, Jr.  
Ward Five  
1350 Pennsylvania Avenue, N.W., Suite 107  
Washington, D.C. 20004  
Harriet Tregoning, Director

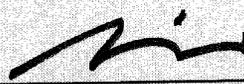
**BZA APPLICATION NO. 17533**  
**PAGE NO. 2**

Office of Planning  
801 North Capitol Street, N.E., 4<sup>th</sup> Floor  
Washington, D.C. 20002

Alan Bergstein, Esquire  
Office of the Attorney General  
441 4<sup>th</sup> Street, N.W., 7<sup>th</sup> Floor  
Washington, D.C. 20001

Jill Stern, Esquire  
General Counsel  
Department of Consumer and Regulatory Affairs  
941 North Capitol Street, N.E., Suite 9400  
Washington, D.C. 20002

**ATTESTED BY:**

  
\_\_\_\_\_  
**JERRILY R. KRESS, FAIA**  
Director, Office of Zoning 

TWR