

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



**Application No. 18260 of The Holy Comforter St. Cyprian Community Action Group**, pursuant to 11 DCMR § 3104.1, for a special exception under § 2116.1, to allow the location of accessory parking spaces other than on the same lot as the principal use in the C-2-A and R-4 Districts at premises 124 15th Street, S.E. (Square 1072, Lots 48, 84, and 800).<sup>1</sup>

**HEARING DATE:** October 18, 2011  
**DECISION DATE:** October 18, 2011

**SUMMARY ORDER**

**SELF-CERTIFIED**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 4.)

The Board of Zoning Adjustment (“Board” or “BZA”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to the Applicant, Advisory Neighborhood Commission (“ANC”) 6B, and to all owners of property within 200 feet of the property that is the subject of this application. The subject property is located within the jurisdiction of ANC 6B, which is automatically a party to this application. ANC 6B submitted a letter, dated September 26, 2011, in support of the application. The ANC noted that at a duly noticed and regularly scheduled public meeting on September 13, 2011, with a quorum present, the ANC voted unanimously (9:0:0) to support the application.<sup>2</sup> (Exhibit 26.)

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<sup>1</sup> The advertised relief referenced three Lots: 48, 84, and 800. The Applicant owns all three lots; two are unimproved alley lots (Lots 48 and 800) and one is improved (Lot 84). Lot 84 will contain a new structure that will be built to replace a partially collapsed pre-1958 building. Because of the collapse and resulting razing of this pre-1958 building, six parking spaces now are required, leading to the request for a special exception. According to the Applicant, one of the required spaces will be located on Lot 84 and the other five will be located on Lot 800. (Exhibit 23.)

<sup>2</sup> According to the OP report, the Applicant also signed a memorandum of understanding (“MOU”) with the surrounding neighbors to address concerns about construction activities, center operations after construction is completed, future parking management, and on-going relations with the neighborhood. (Exhibit 28.)

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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 PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

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. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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.

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BZA APPLICATION NO. 18260

OCT 20 2011

As Director of the Office of Zoning, I hereby certify and attest that on \_\_\_\_\_, a copy of the order entered on that date in this matter was mailed first class, postage prepaid or delivered via inter-agency mail, or delivered by electronic mail in the case of those ANCs and SMDs that have opted to receive notices thusly, to each party and public agency who appeared and participated in the public hearing concerning the matter, and who is listed below:

R. Todd Ray  
Studio27 Architecture  
1600 K Street, N.W., Ste. 800  
Washington, D.C. 20006

Chairperson  
Advisory Neighborhood Commission 6B  
703 D Street, S.E.  
Washington, D.C. 20003

Single Member District Commissioner 6B08  
Advisory Neighborhood Commission 6B  
1515 Massachusetts Ave. S.E.  
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Tommy Wells, Councilmember  
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Melinda Bolling, Esq.  
General Counsel  
Department of Consumer and Regulatory Affairs  
1100 4<sup>th</sup> Street, S.W., 5<sup>th</sup> Floor  
Washington, D.C. 20024

ATTESTED BY:

  
\_\_\_\_\_  
RICHARD S. NERO, JR.  
Acting Director, Office of Zoning

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