

AGENDA

ANC 6A Economic Development & Zoning Committee
Wednesday March 18, 2008, 7-9:00 PM
Sherwood Recreation Center (640 10th St, NE)
2nd Floor Community Room

7:00 pm **Call to order**

7:01 **Community Comments**

7:05 **Ongoing Status Reports:**

1. 1400 Maryland Ave. BZA Case #17825 (Rich Luna) (2 min)
2. H Street Survey (Drew Ronneberg) (2 min)
3. Zoning Code Rewrite (Cody Rice) (2 min)
4. Vacant Properties (Barbara Halleck) (2 min)
5. 1305-1311 H St NE Nomination for Historic Landmark (Drew Ronneberg) (2 min)

7:15 **Old Business - None**

7:15 **New Business**

1. David Maloney, the Director the DC Historic Preservation office, will discuss nominating buildings for Historic Landmark status, the survey being conducted of H Street buildings and unintended consequences of the new vacant property law (more applications for demolition permits) (35 minutes)
2. Matthew LeGrant, DC's Zoning Administrator, will discuss the administrative process of lot subdivision, whereby lots are divided or combined. In a historic district, lot subdivision requires public review, but outside of a historic district no public review is required. Due to the Dreyfus PUD case, there is interest in requiring public review of lot subdivision for properties in the H Street Overlay. Mr. LeGrant will discuss how the H Street Neighborhood Commercial Overlay relates to subdivision regulations, and potential alternatives that will permit public review of subdivisions in the Overlay without requiring amendments to the zoning regulations (35 minutes)
3. BZA 17917 (1452 D St NE). The application is seeking a variance from the use provisions under subsection 330.5, allowing office, service and retail uses (as permitted in the C-1 District) in an existing building. (30 minutes)

8:55 **Additional Community Comment (time permitting)**

Everyone is welcome! Call Drew Ronneberg with questions at 202 431-4305.

Visit our website at <http://www.anc6a.org/>

Sign up for automated meeting reminders and community listserv at

<http://groups.yahoo.com/group/anc-6a/>

Form 120 - Exhibit 1
(Revised 05/01/08)

Case No. 17917

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

APPLICATION

Notice: [Click Here for Application Form Instructions](#)Before completing this form, please review the instructions on the reverse side.
Print or type all information unless otherwise indicated.

Pursuant to Sections §3103.2 - Use Variance, §3103.2 - Area Variance and/or §3104.1 - Special Exception of Title 11 DCMR - Zoning Regulations an application is hereby made, the details of which are as follows:

Address(es)*	Square(s)*	Lot No(s)*	Zoning Districts*	Relief Being Sought*	Section No(s)*
1452 D Street, N.E.	1053	90	R-4	Area Variance	330.5

Present Use of Property:*	Grocery store and deli				
Proposed Use of Property:*	Office, service, or retail uses as permitted in C-1 District				
Owner of Property:*	Jerry Bauman			Telephone No.:*	(301)593-2478
Address:*	315 Hannes Street	City:*	Silver Spring	State:*	DC
				Zip:*	20901

Written paragraph specifically stating the "who, what, and where of the proposed action(s)". This will serve as the Public

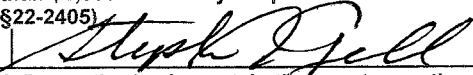
Hearing Notice:*

Variance from Section 330.5 of the DC Zoning Regs to use the building housing a grocery store for office, service, or retail uses permitted in a C-1 District.

Estimated Construction Cost:	\$60,000.00	Advisory Neighborhood Commission Single-Member District(s):*	6A05
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I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application or petition is in violation of D.C law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both.
(D.C official Code §22-2405)

Date: 11/26/2008

Signature: 

* The Owner of the Property for which the application is made or his/her authorized agent. In the event an authorized agent files an application on the behalf of the Owner, a letter signed by the Owner authorizing the agent to act on his/her behalf shall accompany the notice of application.

To be notified of hearing and decision:
(Owner or Authorized Agent*)

Name:*	Stephen N. Gell				
Address:*	5th Fl. 1101 30th St. NW	City:*	Washington	State:*	DC
				Zip:*	20007
Phone No.:*	(202)625-8311	Fax No.:	(703)522-5503	E-Mail:	sgell@his.com

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

NOV 26 AM 11:54

D.C. OFFICE OF ZONING
RECEIVED

Form 135 - Side 1 (Revised 05/01/08)

Case No.



ZONING SEZONING SELF-CERTIFICATION FORM



Project Address(es)*	Square(s)*	Lot No(s)*	Zoning Districts*	ANC(s)/Single Member District(s)*
1452 D Street, N.E.	1053	90	R-4	6A05

CERTIFICATION

The undersigned agent hereby certifies that the following zoning relief is required from the Board of Zoning Adjustment in this matter pursuant to:

Relief Sought*	<input checked="" type="checkbox"/> §3103.2 - Use Variance	<input type="checkbox"/> §3103.2 - Area Variance	<input type="checkbox"/> §3104.1-Special Exception
Pursuant to Subsections	330.5		

Pursuant to 11 DCMR §3113.2, the undersigned agent certifies that:

1. the agent is duly licensed to practice law or architecture in the District of Columbia;
2. the agent is currently in good standing and otherwise entitled to practice law or architecture in the District of Columbia; and
3. the applicant is entitled to apply for the variance or special exception sought for the reasons stated in the application.

The undersigned agent and owner acknowledge that they are assuming the risk that the owner may require additional or different zoning relief from that which is self-certified in order to obtain, for the above-referenced project, any building permit, certificate of occupancy, or other administrative determination based upon the Zoning Regulations and Map. Any approval of the application by the Board of Zoning Adjustment does not constitute a Board finding that the relief sought is the relief required to obtain such permit, certification, or determination.

The undersigned agent and owner further acknowledge that any person aggrieved by the issuance of any permit, certificate, or determination for which the requested zoning relief is a prerequisite may appeal that permit, certificate, or determination on the grounds that additional or different zoning relief is required.

The undersigned agent and owner hereby hold the District of Columbia Office of Zoning and Department of Consumer and Regulatory Affairs harmless from any liability for failure of the undersigned to seek complete and proper zoning relief from the Board of Zoning Adjustment.

The undersigned owner hereby authorizes the undersigned agent to act on the owner's behalf in this matter.

Owner's Signature <i>Jerry Bauman</i>	Owner's Name(please print) Jerry Bauman		
Agent's Signature <i>Stephen N. Gell</i>	Agent's Name(please print) Stephen N. Gell		
Date* 09/26/2008	DC Bar No. 132464	or	Architect Registration No.

**OFFICE OF ZONING DETERMINATION
(DCMR Title 11 §3113.2)**

Based upon review of the application and self-certification, this application is

<input type="checkbox"/>	Accepted for filing.
<input type="checkbox"/>	Referred to the Office of the Zoning Administrator, Department of Consumer and Regulatory Affairs, for determination of proper zoning relief required.
<input type="checkbox"/>	Rejected for failure to comply with the provisions of <ul style="list-style-type: none"> <input type="checkbox"/> 11 DCMR §3113.2; or <input type="checkbox"/> 11 DCMR- Zoning Regulations. Explanation

Signature:		Date	
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If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete a Request for Reasonable Accommodation form.

District of Columbia Office of Zoning
441 4th Street, N.W., Ste. 200-S, Washington, D.C. 20001
(202) 727-6311 • (202) 727-6072 fax • www.dcoz.dc.gov • dcoz@dc.gov

Form 135 - Side 2

INSTRUCTIONS

Any request for self-certification that is not completed in accordance with the following instructions shall not be accepted.

1. All self-certification applications shall be made on Form 135. All certification forms must be completely filled out (front **and** back) and be typewritten or printed legibly. All information shall be furnished by the applicant. If additional space is necessary, use separate sheets of paper to complete this form.
2. Complete one self-certification form for each application filed. Present this form with the Form 120 Application to the Office of Zoning, 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001.

ITEM	EXISTING CONDITIONS	MINIMUM REQUIRED	MAXIMUM ALLOWED	PROVIDED BY PROPOSED CONSTRUCTION	VARIANCE Deviation/Percent
Lot Area (sq. ft.)	1440	-	-	-	-
Lot Width (ft. to the tenth)	18	-	-	-	-
Lot Occupancy (building area/lot)	Approx. 80 %	-	-	-	-
Floor Area Ratio (floor area/lot area)	-	-	-	-	-
Parking Spaces (number)	0	0	-	-	-
Loading Berths (number and size)	-	-	--	-	-
Front Yard (ft. to the tenth)	Approx 13'	-	-	-	-
Rear Yard (ft. to the tenth)	0	-	-	-	-
Side Yard (ft. to the tenth)	0	-	-	-	-
Court, Open (width by depth)	-	-	-	-	-
Court, Closed (width by depth)	-	-	-	-	-
Height (ft. to the tenth)	2 stories	-	-	-	-

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., August 11, 2008

Plat for Building Permit of: SQUARE 1053 LOT 90

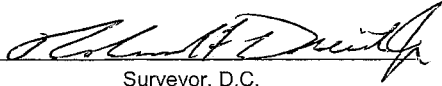
Scale: 1 inch = 20 feet

Recorded in Book 74 Page 11


Receipt No. 05899

Furnished to: JEROME BAUMAN

I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat; and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

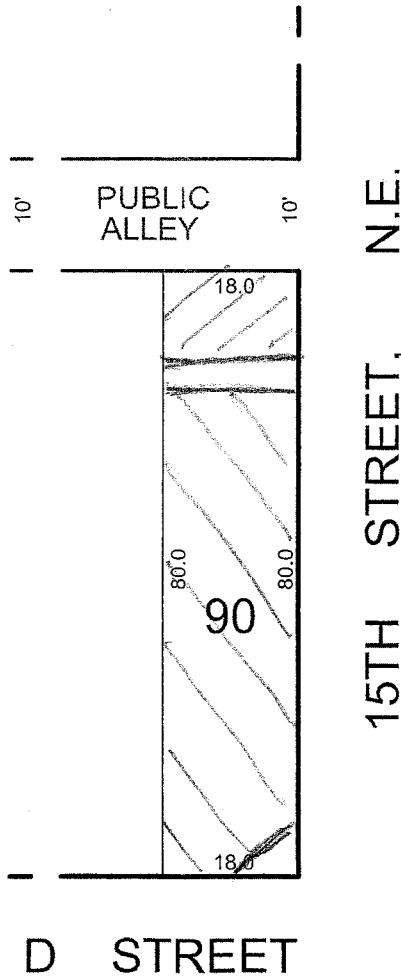

Surveyor, D.C.

Date: _____

By: L.E.S. 

(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.



Mr. Jerome Bauman
315 Hannes Street
Silver Spring MD 20901

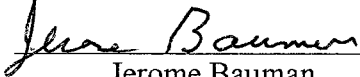
August 29, 2008

Ms. Ruthanne Miller, Chairperson
Board of Zoning Adjustment
Room 210
441 4th Street, N.W.
Washington, DC 20001

Re: Variances and special exceptions at 1452 D Street, N.E.

Dear Ms. Miller:

I wish to advise you that Stephen N. Gell is authorized to represent us and bind us in proceedings on the subject matter before the Board of Zoning Adjustment and other District agencies.


Jerome Bauman

STATEMENT OF EXPLANATIONS AND REASONS

SUPPORTING AN APPLICATION

TO THE BOARD OF ZONING ADJUSTMENT

OF THE DISTRICT OF COLUMBIA

FOR VARIANCE

PURSUANT TO SECTIONS 330.5 and 3103

OF THE DISTRICT OF COLUMBIA ZONING REGULATIONS

1452 D Street, N.E.
(Square 1053, Lot 90)

BZA Case No.

INTRODUCTION

DESCRIPTION OF THE APPLICANT

THE SUBJECT PROPERTY

- A. Location and Description of the Property
- B. Area Surrounding the Property
- C. Zoning History and Use History
- D. Historic Preservation

REASONS IN SUPPORT OF A VARIANCE FOR C-1 USE

- A. Compliance with D.C. Zoning Regulations

Uniqueness

Extraordinary or exceptional situation or condition creating a hardship

- A. No Adverse Effects
- B. Comprehensive Plan

CONCLUSION

INTRODUCTION

This is a Statement of Explanation and Reasons supporting the Application of Jerome Bauman, (hereinafter "Applicant"), owner of 1452 D Street, N.E. (Square 1053, Lot 90), in an R-4 District, for a variance from Section 330.5 of the DC Zoning Regulations, which does not permit use of the property for other than residential use. Mr. Bauman wishes to use the building housing a grocery store for any use which is permitted in a C-1 District. He seeks the flexibility of renting for office, service, or retail uses permitted in C-1. Section 2003.1 provides that if the BZA approves,

a nonconforming use may be changed to a use that is permitted in the most restrictive district in which the existing nonconforming use is permitted as a matter of right...

However, Section 2003.5 of the Zoning Regulations restricts the nonresidential use to a neighborhood facility. In order to have a grocery store, barber shop, or office, a variance is necessary.

DESCRIPTION OF THE APPLICANT

Mr. Jerome (Jerry) Bauman grew up in Washington. He and his family have owned the building at 1452 D Street, N.E. since 1932. Since 1924 it has been a mom and pop grocery store and then a grocery store/delicatessen. The tenant moved out a year ago and Mr. Bauman has been performing renovations.

THE SUBJECT PROPERTY

A. Location and Description of the Property

The property is a two-story structure plus cellar, located at the Southwest corner of 15th Street and D Streets, N.E., on a lot containing approximately 1440 square feet. Each floor contains approximately 800 square feet. The lot also contains a free standing, one-story barber shop.

B. Area Surrounding the Property

The adjacent areas are characterized by row-houses, conversions, and apartments. The Zone District is R-4. There is a liquor store across the street from the property. A bus stops in front of the subject building and travels down 15th Street and up 14th Street winding up at RFK Stadium and Metro. The D6 bus links the subject property with Union Station.

C. Zoning History and Use History

The building was built as a mom and pop grocery with adjacent barber shop around 1924. In 1997 and in 2001, the applicant received special exceptions to change the use from grocery store to grocery store/deli (BZA Case Numbers 16201 and 16768 respectively). A certificate of occupancy for a "retail grocery and delicatessen" was granted as recently as 2002. The barber shop continues to be a neighborhood amenity and there is no plan to change its use.

E. Historic Preservation

The subject property is not a landmark nor is it in the Capitol Hill Historic District.

REASONS IN SUPPORT OF A VARIANCE FOR C-1 USE

B. Compliance with D.C. Zoning Regulations

Uniqueness

The property is a corner property with no rear yard. It is also unique in that, unlike other buildings on the square, it has continually had a commercial use since before 1932.

Extraordinary or exceptional situation or condition creating a hardship

The exceptional situation creating a hardship arises from a number of factors. There is no reasonable alternative use for the property but a commercial use. It is not well suited to residential use and the expense of converting it to residential use would be prohibitive. Because of its long history as a grocery store, it would need costly retrofitting to install a kitchen and other residential amenities. Moreover, the rent for so small a space would not justify this expense.

We considered seeking a special exception under § 2003.5 on the grounds that this use would be a neighborhood facility. However, that would present an additional hardship. Without assurance that a prospective tenant would remain for a long time, the small size of the unit, the difficulty of finding a tenant and the meager potential revenue stream would make regular visits to the Board of Zoning Adjustment for successive permissions financially burdensome and infeasible. The Board would, in that event be asked on numerous occasions to determine whether prospective commercial uses met the test of "neighborhood facility." Accordingly we seek a variance.

B. No Adverse Effects

Parking. There are no spaces on the lot for parking. On the 15th Street side of the building, there is what looks like a 10 to 15 foot side yard but it is really part of the right of way. Perhaps the applicant could obtain permission from DOT to use the area for parking but it could not be counted for zoning purposes. There is considerable short term parking in the area on both sides of 15th Street and on D Street.

There is a major bus line that runs South on 15th Street and North on 14th Street and connects the property with the Metro station at 19th and E. Capitol Street.

Parking needs for office use or other uses permitted in C-1 would not be essentially different from that of a grocery store.

B. Comprehensive Plan

The Generalized Land Use Map of the Office of Planning designates this property within a moderate residential category. The proposed use for a service establishment, office, or grocery store/deli should not conflict with the desire to see the neighborhood remain residential.

CONCLUSION

The Applicants should be granted the variance necessary to enable them to use the subject building for a commercial use. Moreover, such a use will be in harmony with the purpose and intent of the Zoning Regulations. Respectfully submitted,



Stephen N. Gell

Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration
941 North Capitol Street N.E. room 2100
Washington D.C. 20002
Tel (202) 442-4470 Fax (202) 442-4862

Government
of the District
of Columbia
BLRA 94A

C of O

CERTIFICATE OF OCCUPANCY

PERMIT NO.

CO 26533

THIS PERMIT IS VALID ONLY FOR THE PREMISES
OF THE PROJECT ADDRESS

DATE : 1/8/02

ADDRESS : 1452 D ST NE Z	FLOOR(S): BASEMENT BASEMENT & 1ST FLOOR	PRCLID : <small>(square)</small>	<small>(lot)</small>
		WARD :	ZONE :

PERMISSION IS HEREBY GRANTED TO : SOLE PROPRIETOR : ADAM L OLIPHANT	TRADING AS: SUNSHINE COUNTRY MARKET
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APPROVED USES : OTHER - SEE DESCRIPTION	PREVIOUS USES : GROCERY STORE
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TYPE : USE CHANGE	BZA NO. :	OCCUPIED SQ. FOOTAGE: 1,200	OCCUP. LOAD:	EXPIRATION DATE : NONE
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DESCRIPTION OF USE: PREVIOUS USE= RETAIL GROCERY / PROPOSE USE= RETAIL GROCERY & DELICATESSEN	FEE : \$57.00
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THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, VALID ONLY for the premise at the above address or part thereof, and for the purpose(s) indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE in the type of business, ownership of business, or part of premises used therefor, will render this Certificate VOID and a NEW Certificate must be obtained.

David A. Clark DIRECTOR	PERMIT CLERK: DORIS MINOR
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BLRA 94A

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 16768 of Jerome Bauman, pursuant to 11 DCMR § 3104.1 for a special exception to allow a change of nonconforming use from a grocery to a grocery/deli, basement and first floor, under section 2003 in an R-4 District at premises 1452 D Street, N.E. (Square 1053, Lot 90).

HEARING DATE: October 9, 2001
DECISION DATE: October 9, 2001 (Bench Decision)

SUMMARY ORDER

REVIEWED BY THE ZONING ADMINISTRATOR

This application was accompanied by a memorandum from the Zoning Administrator certifying the required relief.

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, the Office of Planning (OP) and to owners of property within 200 feet of the site. The site of the application is located within the jurisdiction of ANC 6A. ANC 6A and OP did not participate in 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 for a special exception pursuant to 11 DCMR § 3104.1. No person or entity appeared at the public hearing in opposition to the application or otherwise requested to participate as a party to 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 its burden of proof, pursuant to 11 DCMR §§ 3104.1 and 2003, and that the requested relief can be granted as in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. It is therefore **ORDERED** that the application is **GRANTED** subject to the following conditions:

1. There shall be a maximum of three full-time persons employed on the site.
2. No additional signage shall be erected on the site.

BZA APPLICATION NO. 16768

PAGE NO. 2

3. The applicant shall make every effort to locate the trash receptacles on his private property.
4. Trash shall be collected at least once per week.
5. Outdoor lighting shall be so arranged that all direct rays of light are confined to the site, so as not spill over onto neighboring property.

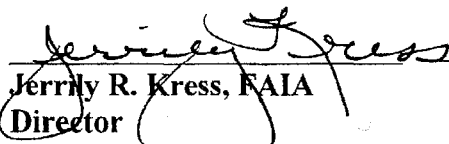
Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law.

VOTE: 4-0-1 (Geoffrey H. Griffis, Anthony J. Hood, Anne M. Renshaw and David W. Levy to Approve, the third Mayoral Appointee not present, not voting)

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

Each concurring Board member has approved the issuance of this order.

ATTESTED BY:


Jerry R. Kress, FAIA
Director
Office of Zoning

FINAL DATE OF ORDER: OCT 18 2001

PURSUANT TO 11 DCMR § 3125.6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN SIX MONTHS AFTER IT BECOMES EFFECTIVE UNLESS THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 16201 of Jerome Bauman, pursuant to 11 DCMR 3108.1, for a special exception under Section 2003 to change a nonconforming use from grocery store to a grocery/deli on the first floor and basement in an R-4 District at premises 1452 D Street, N.E. (Square 1053, Lot 90).

HEARING DATE: January 22, 1997
DECISION DATE: January 22, 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 the application is located within the jurisdiction of ANC 6A. ANC 6A, which is automatically a party to this application, did not submit a written statement 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 a special exception pursuant to 11 DCMR 2003. No person or entity appeared at the public hearing in opposition to the 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 3108, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. It is therefore ORDERED that the application is GRANTED, SUBJECT to the following CONDITIONS:

1. There shall be a maximum of three employees employed at the site.
2. No additional signage shall be erected at the site.
3. The applicant shall make every effort to locate the trash receptacles on his private property.

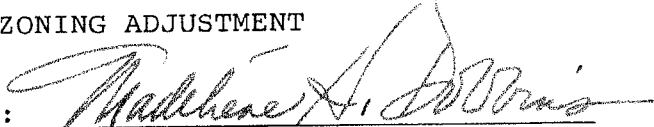
4. Trash shall be collected at least once per week.
5. The applicant shall submit to the Office of Planning, for its approval, a proposal for architectural embellishment and lighting.
6. The metal mesh cover over the windows shall be replaced by a mesh or metal works of a more residential character.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 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 (Maybelle Taylor Bennett, Sheila Cross Reid and Susan Morgan Hinton to grant; Angel F. Clarens and 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: _____

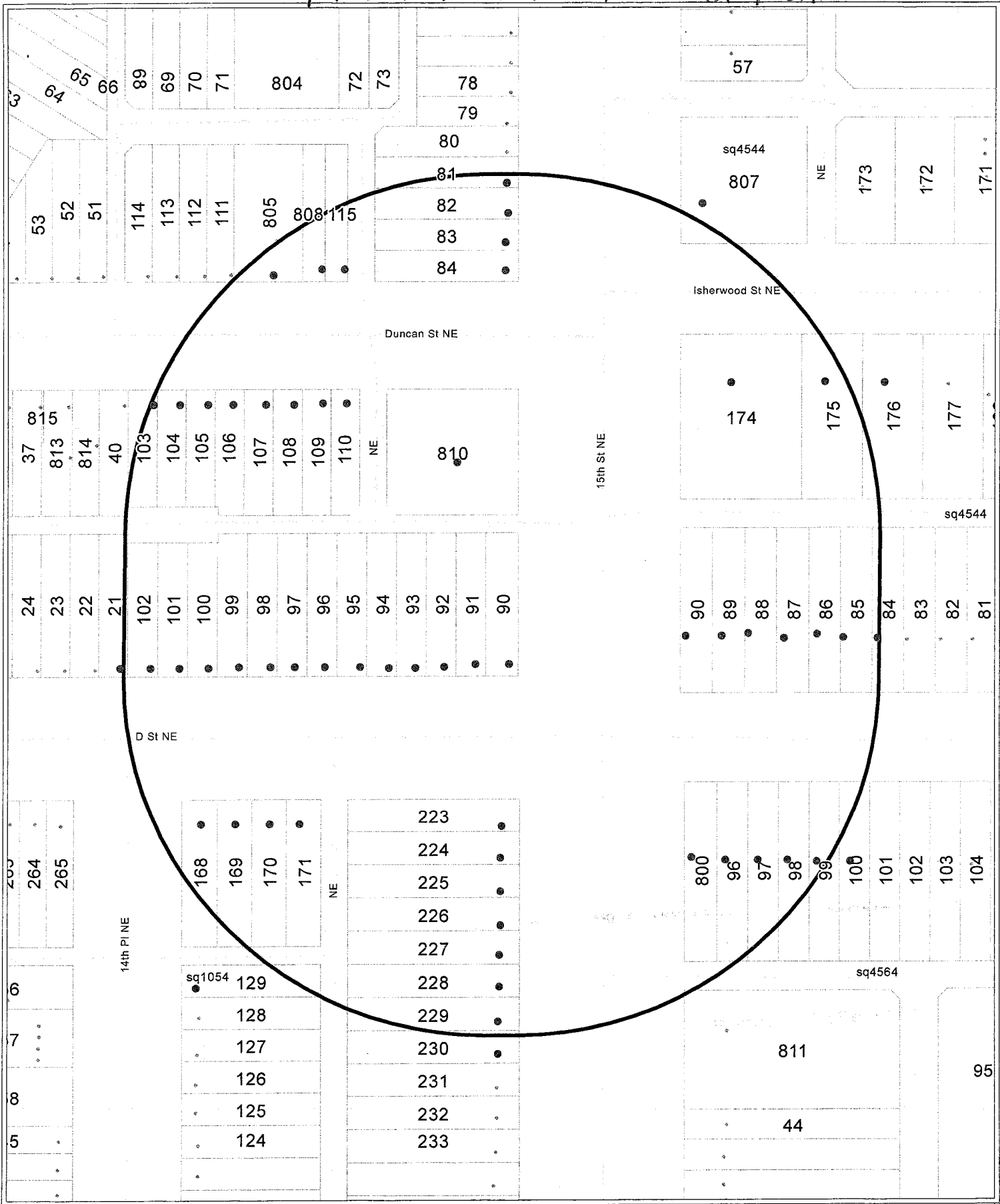
PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH 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 SIX MONTHS, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

ord16201/TWR/LJP

1 MUTE PROVIDED FOR BERLAND



Square 1053 Lot 90

-  Streets
-  Squares
-  Property Lines

