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District of Columbia
Office of Planning



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Gyor AICP, Case Manager
Joel Lawson, Associate Director Development Review
DATE: October 1, 2013

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18599

EXHIBIT NO. 27

SUBJECT: BZA Case 18599, 1417 Meridian Place NW - extension of Order 16298 to allow the continued use of a parking lot in a residential district

I. OFFICE OF PLANNING RECOMMENDATION

Trinity A.M.E. Zion Church, (the "Applicant"), seeks to renew its special exception approval pursuant to § 213 (Parking Lots) under BZA Order 16298, dated September 1, 1998 (Attachment 1). Order 16298 allowed the establishment of a parking lot in a residential district (R-5-B) with a fifteen year term. The Applicant has not adhered to several of the conditions of the Order, specifically the provisions relating to paving/maintenance (#5), lighting (#9), and landscaping (#11). The Applicant cites financial hardship as the justification for non-compliance. OP encourages the Applicant to work with the community and ANC to explore funding options for parking lot repairs, upgrades, and maintenance.

The Office of Planning (OP) **recommends extending** the Order, provided that the Applicant provides information pertaining to plans for compliance. In addition, OP supports the creation of an advisory/board committee comprised of members of the community and the Applicant.

Extension of the Order should be subject to the following conditions, with changes from the 1998 approval noted in *italics*:

1. Approval shall be for a period of three years; (*reduced from 15 years*).
2. No dangerous or otherwise objectionable traffic conditions shall result from the establishment of the use, and the present character and future development of the neighborhood shall not be affected adversely.
3. The parking lots shall be reasonably necessary and convenient to other uses in the vicinity, so that the likely result will be a reduction in over spill parking into neighborhood streets.
4. A majority of the parking spaces shall serve residential uses or short-term parking needs of retail, service and public facility uses in the vicinity.
5. All areas devoted to driveways, access lanes, and parking areas shall be paved and maintained with bituminous concrete, brick, or permeable pavers, or a combination of these materials, and which is a minimum of four inches (4 in) in thickness; (*adds "permeable pavers"*).
6. The parking lots shall be designed so that no vehicle or any part of a vehicle projects over any lot line or building line.
7. No other use shall be conducted from or upon the premises, and no structure other than an

Board of Zoning Adjustment
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attendant's shelter shall be erected or used upon the premises unless the use or structure is otherwise permitted in the district in which the parking lots are located.

8. No vehicular entrance or exit shall be within forty feet (40 ft.) of a street intersection as measured from the intersection of the curb lines extended.
9. Any lighting used to illuminate the accessory parking spaces shall be arranged so that all direct rays are confined to the surface of the lots.
10. The parking lots shall be kept free of refuse and debris.
11. The parking lots shall be landscaped with trees and shrubs covering a minimum of five percent (5%) of the total area of the parking lots. The landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
12. All parts of the lots not devoted to parking areas, driveways, access lanes, attendant's shelter, or required screening walls shall be kept free of refuse and debris and shall be paved and landscaped.
13. The lots shall be screened from all contiguous residential property by a solid brick or stone wall at least twelve inches (12 in.) thick and forty-two inches (42 in.) high or by evergreen hedges and/or evergreen growing trees which are thickly planted and maintained and are at least forty-two inches (42 in.) in height when planted.
14. The dimensions of the parking spaces shall be a minimum of nine feet (9 ft.) in width and nineteen feet (19 ft.) in length. Parking spaces and drive aisles shall be clearly demarcated; *(adds parking space and drive aisle demarcation)*.
15. There shall be signs requesting the community's cooperation in maintaining the lot free of debris, etc.; *(removes sentence regarding experimental signs permitting unattended public parking)*.
16. A prominently displayed community bulletin board shall be installed in the vicinity of Lots 556, 557, and 558 that would announce activities sponsored by the church and the community as well as stipulations regarding use of the lots.
17. Trinity AME Zion Church shall provide designated parking to members in the community on a regular basis between the hours of 10:00 p.m. and 6:00 a.m. seven (7) days a week. The Church shall issue parking passes which shall only permit parking for residents of Center Street between Oak and Meridian Place, and those who live on the 1400 to 1500 block of Meridian Place; *(adds "seven (7) days a week" to the designated community parking time period; removes security gates and access card requirement; adds mention of parking passes)*.
18. On "bad" weather days (particularly in the event of snow), the community members shall be allowed parking on the lots at anytime or day of the week.

II. LOCATION AND SITE DESCRIPTION

Address	1417, 1493, and 1507 Meridian Place NW
Legal Description	Square 2684 , Lot 556 and 558
Ward	1
Lot Characteristics	The subject sites are adjacent to each other and are located along the northern side of the Meridian Place, NW, beginning at Center Street and extending eastward along Meridian Place. They are one block away from the Trinity AME Zion Church.
Zoning	R-5-B: Permits matter-of-right moderate development of general residential uses, including single-family dwellings, flats, and apartment buildings.
Existing Development	One of the three lots (lot 557) is vacant and undeveloped. Two of the lots (lots 556 and 558) are paved and used for parking. The existing parking lots include a total of 32 spaces.
Historic District	N/A
Adjacent Properties	Adjacent properties include detached homes, rowhouses, and apartment buildings.
Surrounding Neighborhood Character	The surrounding neighborhood is characterized by a variety of uses, including institutional, multi-family residential dwellings, and single family residential dwellings.



Subject Property



Subject Property

III. APPLICATION IN BRIEF

Trinity AME Zion Church proposes to renew BZA Order #16298 to allow continued use of a parking lot in an R-5-B zone (located on Lots 556, 557, and 558 in Square 2684). The church acquired the property in March 1996. The previous Order was valid for a period of 15 years. The Order granted relief from § 213 (Parking Lots) subject to eighteen conditions. According to the Applicant, no change in the use, parking or activity on the lot is proposed. The Applicant has sole use of the lot on Sundays and some evenings as needed. The Applicant provides designated parking to members of the community Monday through Saturday, free of charge. According to the Applicant, some members of the community are concerned about the appearance and safety of the parking lot given the lot's lack of maintenance, landscaping, and lighting. The Applicant has not adhered to several of the conditions of the Order and states that financial hardship is preventing the necessary repairs/upgrades. The Applicant has not provided cost estimates for the paving, lighting, and landscaping improvements.

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

213.1 Use as a parking lot shall be permitted as a special exception in an R-1 District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.

These provisions are addressed below.

213.2 A parking lot shall be located in its entirety within two hundred feet (200 ft.) of an existing Commercial or Industrial district.

The subject parking lots are not located in their entirety within 200 feet of an existing Commercial or Industrial district.

- 213.3 *A parking lot shall be contiguous to or separated only by an alley from a Commercial or Industrial district.*

The parking lot is not contiguous to or separated only by an alley from a Commercial or Industrial district. A 25 ft. wide alley separates the two lots.

- 213.4 *All provisions of chapter 23 of this title shall be complied with.*

The requirements of §2303 are as follows:

- 2303.1 *A parking lot in any district shall conform to the following provisions:*

- (a) *All areas devoted to driveways, access lanes, and parking areas shall be surfaced and maintained with an all-weather surface. In addition to traditional impervious surfaces, allowable all weather surfaces include porous (or pervious) concrete, porous asphalt, and/or mechanically-reinforced grass, excluding grass or gravel;*

The entire lot is currently paved with asphalt. OP encourages the use of permeable pavers if the lot is repaved.

- (b) *The parking lot shall be designed so that no vehicle or any part of a vehicle projects over any lot line or building line;*

The parking area is fenced along part of its perimeter and there is an 8 inch concrete curb at the north border of the lot which would prevent this occurrence.

- (c) *No other use shall be conducted from or upon the premises, and no structure other than an attendant's shelter shall be erected or used upon the premises unless the use or structure is otherwise permitted in the district in which the parking lot is located;*

No other use is conducted on the premises and there is no attendant shelter on the lot.

- (d) *No vehicular entrance or exit shall be within forty feet (40 ft.) of a street intersection as measured from the intersection of the curb lines extended;*

No entrance or exit to the lot is located within 40 feet of an intersection.

- (e) *Any lighting used to illuminate a parking lot or its accessory buildings shall be arranged so that all direct rays of the lighting are confined to the surface of the parking lot; and*

The parking lot does not include lighting, a condition of the prior order. OP recommends the installation of lights on the lot, provided they are directed downwards as required by the existing order.

- (f) *The parking lot shall be kept free of refuse and debris and shall be landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance. Landscaping with trees and shrubs shall cover a minimum of five percent (5%) of the total area of the parking lot, or an area as determined by the Board of Zoning Adjustment for a parking lot otherwise requiring Board approval.*

Currently, the parking lot is not free of refuse and debris, and is not adequately landscaped. OP encourages the Applicant to work with the community and ANC to explore funding options for parking lot repairs, upgrades, and maintenance.

- 213.5 *No dangerous or otherwise objectionable traffic conditions shall result from the establishment of the use, and the present character and future development of the neighborhood will not be affected adversely.*

No dangerous or otherwise objectionable traffic conditions would result from the use of the parking lot. Provided that the Applicant adheres to the proposed conditions, the present character and future development of the neighborhood should not be affected adversely.

- 213.6 *The parking lot shall be reasonably necessary and convenient to other uses in the vicinity, so that the likely result will be a reduction in overspill parking on neighborhood streets.*

The parking lots are reasonably necessary and convenient to other uses in the vicinity, so that the likely result will be a reduction in over spill parking into neighborhood streets.

- 213.7 *A majority of the parking spaces shall serve residential uses or short-term parking needs of retail, service, and public facility uses in the vicinity.*

A majority of the parking spaces shall serve residential uses or short-term parking needs of retail, service and public facility uses in the vicinity.

- 213.8 *Before taking final action on an application for use as a parking lot, the Board shall submit the application to the D C. Department of Transportation for review and report.*

The application is under review by DDOT. DDOT will submit its report to the Board under separate cover.

Special Exception Relief pursuant to § 213

The requested relief demonstrates conformance with the requirements of Section 3104 as follows:

Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The Subject Site has been approved for parking purposes for over fifteen years. The Applicant's special exception request anticipates using the parking lot in the same manner. Provided that the Applicant adheres to the conditions, there is no reason to expect the continuation of the use to result in inconsistencies with the general purpose and intent of the Regulations.

i. Would the proposal appear to tend to affect adversely, the use of neighboring property?

Granting relief for the parking lot's continued operation will not tend to affect adversely the use of neighboring property. The Church currently allows the community to use the parking lots seven days a week, relieving congestion on nearby streets. A relatively short term limit will allow the community and the Board to evaluate the Applicant's adherence to the Board's conditions.

V. COMMUNITY COMMENTS

To date, OP has not received a submission from the neighbors. OP received from ANC 1A a resolution in support of the Applicant's request to extend the Order (with additions to the conditions of the Order), dated July 10, 2013.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**



Application No. 16298 of Trinity Housing Corporation of Washington, pursuant to 11 DCMR 3108.1 and 3107.2, for a special exception under Subsection 213.1 to establish parking lots in a residential district, a variance from Subsection 213.2 to establish a parking lot that is not located in its entirety within 200 feet of an existing commercial or industrial district in a residential district, and a variance from Subsection 213.3 to establish a parking lot that is not contiguous to or separated only by an alley from a commercial or industrial district in a residential district, for parking lots in the R-5-B District at premises 1417, 1493 and 1507 Meridian Place, N.W. (Square 2684; Lots 556, 557 and 558).

HEARING DATES: January 7, February 18 and March 18, 1998
DECISION DATES: April 1 and May 6, 1998

ORDER

SUMMARY OF EVIDENCE:

The subject premises are known as 1417, 1493 and 1507 Meridian Place, N.W. and are located in an R-5-B District. This area is also known as Parcel 20 in the records of the Department of Housing and Community Development (DHCD).

The subject sites are adjacent to each other and are located along the northern side of Meridian Place, N.W., beginning at Center Street and extending eastward along Meridian Place. They are one block away from the Trinity A.M.E. Zion Church.

Two of the three sites (lots 556 and 558) have been vacant and undeveloped for approximately 15 years, and the community and Trinity A. M. E. Zion Church currently use the third site (lot 557) as a parking lot. Lot 557, which is the middle lot, is paved with asphalt and the adjacent lots 556 and 558 are undeveloped grassy areas. The applicant proposes to establish parking lots for the use of the Trinity A. M. E. Zion Church and members of the immediate residential community. The District of Columbia 14th Street Urban Renewal Plan supports the use of the sites for accessory parking.

The church will have sole use of the lot on Sundays and some evenings as needed, but will provide designated parking to members of the community on a regular basis between the hours of 10:00 p.m. and 6:00 a.m.

Issues and Arguments

Section 213 – Parking

Section 213.1: Use as a parking lot shall be permitted in an R-1 district if approved by the Board of Zoning Adjustment in accordance with the conditions specified in Section 3108 of Chapter 31 of this title, subject to the provisions of this section. These provisions are addressed below.

Section 213.2: A parking lot shall be located in its entirety within two hundred feet (200 ft.) of an existing Commercial or Industrial district.

The applicant testified that the subject parking lots are not located in their entirety within 200 feet of an existing Commercial or Industrial district. The applicant is therefore requesting a variance from the requirements of this subsection to allow the use of the lots for parking.

Section 213.3: A parking lot shall be contiguous to or separated only by an alley from a Commercial or Industrial district.

The applicant testified that the lot is not contiguous to or separated by an alley from a Commercial or Industrial district in a residential district. They are therefore requesting a variance from the requirements of this subsection to allow the use of the lots for parking.

Section 213.4: All provisions of Chapter 23 of this title shall be complied with as indicated below.

The applicant testified that the proposed use and plans satisfy the requirements of Section 2303, as indicated below:

Section 2303.1(a) All areas devoted to driveways, access lanes, and parking areas are paved and maintained with concrete materials, which form an all-weather impervious surface six inches in depth.

(b) The lot is designed so that no vehicle or any part thereof projects over any lot line or building line.

(c) The lot will be used only for parking.

(d) No vehicular entrance or exit is within 40 feet of a street intersection.

(e) Lighting used to illuminate the parking lot is arranged so that all direct rays of such lighting are confined to the surface of the parking lot.

(f) The lot will be maintained by Trinity A.M.E. Zion Church and kept clean of refuse and debris.

Section 2303.2(a) The lot is screened from all contiguous residential property by a 2-foot, 6-inch high masonry wall, which is topped by a 42-inch high stockade fence.

(b) All parts of the lot not devoted to parking areas, driveways, access lanes, the attendant's shelter or the screening wall, shall be kept free of refuse and debris and shall be paved. The trees on the lot shall be maintained in a neat and orderly appearance.

Section 213.5: No dangerous or otherwise objectionable traffic conditions shall result from the establishment of the use, and the present character and future development of the neighborhood will not be affected adversely.

The applicant testified that dangerous or otherwise objectionable traffic conditions would not result from the operation of the subject parking lot. Access to the lot is through land controlled by the applicant and the proposed new entrance will minimize the risk of traffic conflicts upon entering and exiting the lot.

Section 213.6: The parking lot shall be reasonably necessary and convenient to other uses in the vicinity, so that the likely result will be a reduction in over spill parking on neighborhood streets.

The applicant testified that the present character and future development of the neighborhood would not be adversely affected by use of the site as a parking lot. Lot 557 has been used for informal parking for approximately the last ten years and it serves to help alleviate parking congestion on neighborhood streets. The applicant pointed out that the parking lot is reasonably necessary, convenient and accessible for use by residents in the neighborhood.

Section 213.7: A majority of the parking spaces shall serve residential uses or short-term parking needs of retail, service, and public facility uses in the vicinity.

The applicant testified that the existing and proposed parking spaces would be accessible to neighborhood residents at specific times as determined by the church's activities.

Section 213.8: Before taking final action on an application for use as a parking lot, the Board shall submit the application to the D.C. Department of Public Works (DPW) for review and report.

The Board referred the application to DPW. However, DPW did not file a report on the application.

ANC 1A voted to support the requested variance to change from residential zoning to parking lots, with the following conditions:

1. That the 1993 "Parking Agreement" be implemented in full;
2. That security lights, security gates with passes for community residents, and the Church/Community Bulletin Board be installed;
3. That there be no discrimination in community use of the lots. All bona-fide residents of Center Street and the 1400–1500 blocks of Meridian Street, N.W. are entitled to access on proof of residency;
4. That further discussion regarding the implementation of the Parking Agreement is necessary;
5. That ANC 1A reserves the right to notify RLA that Trinity Housing Corporation is not in compliance with the "Parking Agreement", should the planned improvements and the full agreement not be implemented.

A statement of support was submitted to the Board at the March 18, 1998, Public Hearing by Marion Brooks, Project Coordinator with the Department of Housing and Community Development (DHCD) and the Redevelopment Land Agency (RLA).

In a letter to the Board, dated January 6, 1998, Sherrill Berger of 3510 Center Street, N.W. opposed the application for the following reasons:

- A. There is a serious traffic and parking congestion on Oak, Center and Hertford Streets and Meridian Place, N.W. which is caused by non-resident parking in the area between 4:00 p.m. and midnight, Monday through Sunday.
- B. Unhealthy conditions are created by idling cars and church tour buses.
- C. Members of the Trinity A.M.E. Zion Church park on the sidewalk within inches of private buildings on Oak Street, making it difficult for through traffic and emergency vehicles to pass.
- D. Excessive noise is generated by the many cars that come to the church's activities.
- E. Cars owned by church members take up most of the existing spaces whenever the church has its activities.
- F. The Trinity Housing Corporation paved the lot at Center Street and Meridian Place with large loose rock gravel which neighborhood children use to damage cars, windows, buildings and other private property.
- G. For the last eight years, no effort has been made to beautify the perimeters of the parking lots.
- H. Residents who pay an annual fee for residential parking in the immediate neighborhood cannot park near their homes because members of the church use the eight existing spaces on Oak and Center Streets.

Section 3108 – Special Exceptions

The applicant testified that the application satisfies the requirements of Subsection 3108.1. The applicant stated that the parking lots will be well screened from nearby residential uses, and that the use of the lots should relieve parking congestion on nearby streets. The applicant maintains that the parking lots will be in harmony with the general purpose and intent of the Zoning Regulations and Map, and will not adversely affect the use of neighboring property.

Section 3107 - Variances

The applicant testified that the application satisfied the requirements of Subsection 3107.2. The applicant stated that the strict application of the regulations would result in peculiar and exceptional practical difficulties to the owner of the property. The applicant further stated that the condition exists because the site is separated into three disjointed lots located on the corner of two, two laned, one-way streets, thus placing the subject site in a difficult to reach location. The applicant maintains that the relief requested would provide needed parking for the community and the church and would not be detrimental to the public good nor impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

FINDINGS OF FACT:

- (1) The need for additional parking space is increasingly necessary as the church continues to grow in membership.
- (2) Use of the parking lot by neighboring residents is reasonably necessary and convenient.
- (3) Use of the subject parking lot for church and neighborhood parking could help to relieve over spill parking on neighborhood streets.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and evidence of record, the Board concludes that the applicant is seeking a special exception to establish a parking lot in an R-1-B District. The granting of such a special exception requires a showing through substantial evidence that the proposed use is 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. The applicant must also meet the requirements of Section 213 regulating parking lots.

The Board concludes that the applicant has met the burden of proof. The Board is of the opinion that granting the subject application is in harmony with the general purpose and intent of the Zoning Regulations and Map. Further, it is the view of the Board that to grant the application will not adversely affect the use of neighboring property in accordance with the Zoning Regulations and Map. The Board concludes further that that

the applicant meets the requirements of Section 213 regulating parking lots.

The applicant is also seeking a variance from the requirements of Subsections 213.2 and 213.3. The granting of such a variance requires a showing through substantial evidence that there exists some unique or exceptional circumstance or condition related to the property which creates a practical difficulty for the owner in complying with the strict requirements of the Zoning Regulations. The applicant must also demonstrate that the variance relief can be granted without substantial detriment to the public good and without impairing the intent, purpose and integrity of the Zoning Regulations and Map.

The Board concludes that the applicant has met this burden of proof. The Board is of the opinion that that the property is unique because the site is comprised of three disjointed lots which are in a location which is difficult to reach, and that these conditions make it difficult for the owner to use the property in compliance with the Zoning Regulations. Finally, the Board is of the opinion that the relief requested 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.

The Board has afforded the ANC the "great weight" to which it is entitled.

In light of the foregoing, the Board **ORDERS** that the application be **GRANTED**, **SUBJECT** to the following **CONDITIONS**:

1. Approval shall be for a period of **FIFTEEN YEARS**.
2. No dangerous or otherwise objectionable traffic conditions shall result from the establishment of the use, and the present character and future development of the neighborhood shall not be affected adversely.
3. The parking lots shall be reasonably necessary and convenient to other uses in the vicinity, so that the likely result will be a reduction in over spill parking on neighborhood streets.
4. A majority of the parking spaces shall serve residential uses or short-term parking needs of retail, service and public facility uses in the vicinity.
5. All areas devoted to driveways, access lanes, and parking areas shall be paved and maintained with bituminous concrete or brick materials, or a combination of these materials, which forms an all-weather impervious surface, and which is a minimum of four inches (4 in.) in thickness.
6. The parking lots shall be designed so that no vehicle or any part of a vehicle projects over any lot line or building line.
7. No other use shall be conducted from or upon the premises, and no structure other than an attendant's shelter shall be erected or used upon the premises unless the

use or structure is otherwise permitted in the district in which the parking lots are located.

8. No vehicular entrance or exit shall be within forty feet (40 ft.) of a street intersection as measured from the intersection of the curb lines extended.
9. Any lighting used to illuminate the accessory parking spaces shall be arranged so that all direct rays are confined to the surface of the parking lots.
10. The parking lots shall be kept free of refuse and debris.
11. The parking lots shall be landscaped with trees and shrubs covering a minimum of five percent (5%) of the total area of the parking lots. The landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
12. All parts of the lots not devoted to parking areas, driveways, access lanes, attendant's shelter, or required screening walls shall be kept free of refuse and debris and shall be paved and landscaped.
13. The lots shall be screened from all contiguous residential property by a solid brick or stone wall at least twelve inches (12 in.) thick and forty-two inches (42 in.) high or by evergreen hedges and/or evergreen growing trees which are thickly planted and maintained and are at least forty-two inches (42 in.) in height when planted.
14. The dimensions of the parking spaces shall be a minimum of nine feet (9 ft.) in width and nineteen feet (19 ft.) in length.
15. On a temporary but experimental basis, Trinity AME Zion Church shall post signs on Lot 557 permitting unattended public parking between the hours of 10:00 p.m. and 6:00 a.m. seven (7) days per week. There shall also be signs requesting the community's cooperation in maintaining the lot free of debris, etc.
16. A prominently displayed community bulletin board shall be installed in the vicinity of Lots 556, 557, and 558 that would announce activities sponsored by the church and the community as well as stipulations regarding use of the lots.
17. Trinity AME Zion Church shall provide designated parking to members in the community on a regular basis between the hours of 10:00 p.m. and 6:00 a.m. Security gates shall be installed and members of the church and the community shall be issued access cards.
18. On "bad" weather days (particularly in the event of snow), the community members shall be allowed parking on the lots at anytime or day of the week.

VOTE: **3-0** (Betty King and Sheila Cross Reid to grant; Jerrily R. Kress to

grant by absentee vote).

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

ATTESTED BY: 
SHERI M. PRUITT-WILLIAMS
Interim Director

FINAL DATE OF ORDER: SEP - 1 1998

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 TWO YEARS, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

ord16298/poh

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 16298

As Interim Director of the Board of Zoning Adjustment, I hereby certify and attest that on SEP 18 1998 a copy of the order issued on SEP - 1 1998 in this matter was mailed first class postage prepaid to the party who appeared and participated in the public hearing concerning this matter, and whose address was inaccurately printed on the list of parties to whom the order was sent upon its issuance. This party is listed below:

Gwendolyn R. Simmons, Esquire
Hessel and Aluise, P.C.
1050 17th Street, NW Suite 900
Washington, DC 20036

Attested By: *Sheri M. Pruitt-Williams*
SHERI M. PRUITT-WILLIAMS
Interim Director

Date: SEP 18 1998

Attest/poh

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 16298

As Interim Director of the Board of Zoning Adjustment, I certify and attest that
on SEP - 1 1998 a copy of the order entered on that date in this matter was
mailed first class, postage prepaid to each party who participated in the public hearing
and who is listed below:

Gwendolyn R. Simmons, Esquire
Hessel and Aluise, P.C.
Washington, D.C. 20010

Robert L. Tucker, Chairman
Advisory Neighborhood Commission 1A
3511 14th Street, N.W.
Washington, D.C. 20010

Attested By: *Sheri M. Pruitt-Williams*
SHERI M. PRUITT-WILLIAMS
Interim Director

Date: SEP - 1 1998

16298/attest/poh