

2015 OCT -5 PM 12:42
GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



Application No. 19044 of Gerald West, as amended¹, pursuant to 11 DCMR § 3104.1 for a special exception under § 223, not meeting the lot occupancy requirements under § 403 2, the open court requirements under § 406 1, and the nonconforming structure requirements under § 2001.3, to construct a two-story rear addition, one-story side addition, and a basement entry in the DC/R-4 District at premises 1508 Caroline Street N.W. (Square 190, Lot 59)

HEARING DATE. September 22, 2015²
DECISION DATE: September 22, 2015

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113 2. (Exhibits 6 (original) and 36 (revised))

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 Advisory Neighborhood Commission ("ANC") 2B and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2B, which is automatically a party to this application. The ANC submitted a report, dated September 11, 2015, indicating that at a duly noticed and regularly scheduled public meeting on September 9, 2015, at which a quorum was in attendance, the ANC voted 6-0-0 in support of the application based on the revised plans and with conditions (Exhibit 34)

¹ The Applicant amended the application by removing a request for side yard relief under § 405 8 and including one for nonconforming structure relief under § 2001 3. The Applicant submitted a revised self-certification form with the amended relief being requested together with a sun study and revised plans. (Exhibits 36-39) The caption has been revised accordingly.

² Pursuant to 11 DCMR § 3118, the Applicant initially sought to have the application placed on an expedited review calendar (Exhibit 2) A timely Request for Party Status in Opposition was submitted (Exhibits 28-29) to the record with a request to hold a hearing on the application (Exhibit 25) Pursuant to 11 DCMR § 3118 6(b), the Board set the application for a public hearing.

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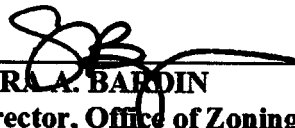
- 2 Prior to a building permit being issued and any construction, the arborist's report shall be filed with the Zoning Administrator and presented to the adjacent neighbor

VOTE· 5-0-0 (Lloyd J Jordan, Marnique Y Heath, Frederick L. Hill, Jeffrey L Hinkle, and Peter G. May to APPROVE)

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

A majority of the Board members approved the issuance of this order

ATTESTED BY: —


SARA A. BARDIN
Director, Office of Zoning

FINAL DATE OF ORDER: September 24, 2015

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6

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 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO § 3129.9, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL TOLL OR 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.

PURSUANT TO 11 DCMR § 3205, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



BZA APPLICATION NO. 19044

As Director of the Office of Zoning, I hereby certify and attest that on September 24, 2015, pursuant to 11 DCMR § 3111.3, 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 to each party and public agency who appeared and participated in the public hearing concerning the matter, and who is listed below

Martin Sullivan, Esq
Sullivan & Barros
msullivan@sullivanbarros.com

Single Member District Commissioner 2B09
Advisory Neighborhood Commission 2CB
1B09@anc.dc.gov

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ATTESTED BY:



SARA A. BARDIN
Director, Office of Zoning

GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF ZONING

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Gerald West, Applicant
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Washington, D C 20009

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