GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

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**Application No. 16550 of Stacy Hamblin,** pursuant to 11 DCMR 3103.2, for a variance from Subsection 2507.2 to allow subdivision and the construction of ten single-family row dwellings in an R-4 District on an alley lot that does not abut an alley 30-feet or more in width and does not provide access to a street through an alley or alleys not less than 30-feet in width at Rear-1406 through 1424 Webster Street, N.W. (Square 2699, Lot 64).

**HEARING DATE:** February 16, 2000
**DISMISSAL DATE:** February 16, 2000

## DISMISSAL ORDER

The zoning relief requested in this case is by zoning memoranda from the Division of Zoning of the Department of Consumer and Regulatory Affairs that specifies the zoning relief required by the applicant.

The Board discussed the application, as a preliminary matter at its February 16, 2000, public hearing. Neither the Applicant nor his designee was present at the public hearing. Several unsuccessful attempts were made to contact the Applicant by telephone.

The case involves property that is located on the interior of the subject square and is surrounded by 10 and 16-foot wide public alleys. The premise address of the property is Rear-1406 through 1424 Webster Street, N.W., in Square 2699 on Lot 64. The unimproved site contains 18,392 square feet of land area.

The Applicant proposed to build ten single-family, two-story, row dwellings on the site. The proposed townhouses would be constructed to meet the zoning requirements of the R-4 District; namely, lot area, lot width, lot occupancy, height, rear yard, and parking.

By letter date January 7, 2000, the Applicant requested that the application be rescheduled to March 1, 2000 (Exhibit 25). The Applicant indicated that a previous commitment would prevent him from appearing on the scheduled February 16, 2000 hearing date.

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EXHIBIT NO.46

A representative from Advisory Neighborhood Commission (ANC) 4C requested that the application be dismissed. The ANC Commissioner indicated that on January 31, 2000, 34 residents of the neighborhood met with the Applicant and his architect. Also, on February 8, 2000, the Applicant again met with the ANC Commissioners. On neither occasion did the Applicant inform the ANC that a request was made to the Board to reschedule the application. Correspondence was sent to the Board from ANC 4C indicating that the ANC voted, unanimously, to deny the application (Exhibit No. 34).

The Board noted that the Applicant's letter requesting that the application be dismissed was dated January 7, 2000, and received in the Office of Zoning on February 1, 2000. As such, the Applicant met with the ANC after the letter to reschedule the application was received by the Board. The Applicant and his agent knew at the February 8, 2000 ANC meeting that a request was made to reschedule the hearing; however, the Applicant failed to disclose this information to the ANC.

Many residents of the neighborhood attended the Board's February 16, 2000 public hearing and overwhelmingly expressed opposition to the application. The residents of the neighborhood petitioned the Board to dismiss the application.

In light of the foregoing, the Board hereby **ORDERS** that the application be **DISMISSED.**

**VOTE: 3-2-0** (Anne Renshaw, Carol Mitten, and Rodney Moulden to dismiss; Sheila Cross Reid and Robert Sockwell, opposed to the motion).

**BY ORDER OF THE DC BOARD OF ZONING ADJUSTMENT**

**ATTESTED BY:** _____
**JERRILY R. KRESS, FAIA**
**Director**

**Final Date of Order:** APR 14 2000

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

**BAB/3.27.00**

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

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**BZA APPLICATION NO. 16550**

As Director of the Office of Zoning, I hereby certify and attest that on APR 14 2000 a copy of the order entered on that date in this matter before the Board of Zoning Adjustment was mailed first class, postage prepaid, to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Klaus Klatt
3533 Yuma Street, N.W.
Washington, DC 20008

Stacy C. Hamblin
10307 Saddleview Court
Vienna, Virginia 22182

Willie Flowers, Chairperson
Advisory Neighborhood Commission 4C
WMATA Bus Barn
P.O. Box 6087
Washington, DC 20039

Michael Johnson, Zoning Administrator
Building & Land Regulation Administration
Dept. of Consumer and Regulatory Affairs
941 North Capitol Street, NE, Suite 2000
Washington, DC 20009

**ATTESTED BY:** Jerrily R. Kress

**JERRILY R. KRESS, FAIA**
**DIRECTOR**