GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 16682-A W.F. Equipment Corporation, pursuant to 11 DCMR §§ 3104.1 and 3103.2 for special exception under section 353.1 for a new residential development and variances from section 401, required minimum lot area and minimum lot width, section 402, maximum floor area ratio (FAR), and section 405, required minimum side yard setback, in a R-5-A District at premises 5516-5526 Hunt Place, N.E. (Square 5204, Lots 31-36).

HEARING DATE: May 8, 2001
DECISION DATES: June 5, 2001, October 2, 2001

DISPOSITION: The Board denied the application for a variance from sections 401, 402, and 405, relating to required minimum lot area and minimum lot width, maximum floor area ratio (FAR), and required minimum side yard setback, by a vote of 3 to 0 (Anne Renshaw, Carol Mitten, Sheila Cross Reid, to deny). In view of its denial of the variance, the Board did not reach the merits of the Applicant's request for a special exception.

ORDER GRANTING MOTION FOR RECONSIDERATION AND REHEARING

The applicant filed a post-hearing submission, a Motion for Reconsideration and Rehearing, dated August 31, 2001. The motion was filed within the ten-day time period required by 11 DCMR § 3126.2.

After careful review, the Board granted the motion for the reasons stated at its October 2, 2001, public meeting.

Subsection 3126.8 of the Zoning Regulations states that "No member shall vote on any post-hearing motion unless the member participated in and voted on the original decision or the member read the transcript of the hearing and reviewed the record." Board members Geoffrey H. Griffis and David Levy were not present for the May 8, 2001, hearing and the June 5, 2001, decision for this case but have reviewed the transcript and the record and are therefore eligible to vote in this decision. It is therefore **ORDERED** that the motion for Reconsideration and Rehearing be **APPROVED**.

DECISION MEETING: October 2, 2001

VOTE: 4–1-0 (Anne M. Renshaw, Sheila Cross Reid, Carol J. Mitten, Geoffrey H. Griffis, to grant, David W. Levy, to deny).

BZA
Case No.
Exhibit No. 52

Board of Zoning Adjustment
District of Columbia
CASE NO.16682
EXHIBIT NO.52

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

Each concurring Board member has approved the issuance of this Decision and Order.

ATTESTED BY: _____
JERRILY R. KRESS, FAIA
Director

FINAL DATE OF ORDER: NOV 2 9 2001

PURSUANT TO 11 DCMR § 3125.6, THIS DECISION AND 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.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA APPLICATION NO. 16682-A

As Director of the Office of Zoning, I hereby certify and attest that on NOV 2 9 2001, a copy of the foregoing Order in BZA Application No. 16682 was mailed first class, postage prepaid or delivered via inter-governmental mail to each party and public agency who appeared and participated in the public hearing and who are listed below:

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JERRILY R. KRESS, FAIA
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rsn