GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

**BZA APPEAL NO. 16764**

As Director of the Office of Zoning, I hereby and attest that on MAY 2 2 2002, a copy of the foregoing Decision and Order in BZA Appeal No. 16764 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 is listed below:

Darrel J. Grinstead
2964 Chesapeake Street, N.W.
Washington, D.C. 20008

James T. Draude
Driscoll & Draude
1230 Thirty-First Street, N.W.
Washington, D.C. 20007

Marie-Claire Brown
Assistant Corporation Counsel
Civil Division
441 4th Street, N.W., Room 450N
Washington, D.C. 20001

John Patrick Brown, Jr.
Greenstein DeLorme & Luchs, P.C.
1620 L Street, N.W., Suite 900
Washington, D.C. 20036-5605

Phil Kogan, Vice-Chair
ANC 3F
P.O. Box 39290
Washington, D.C. 20016-9290

BZA
Case No. 16764
Exhibit No. 52



Board of Zoning Adjustment
District of Columbia
CASE NO.16764
EXHIBIT NO.52

**BZA Application No. 16764**

Honorable Kathleen Patterson
Councilmember Ward 3
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W., Room 107
Washington, D.C. 20004

Ellen McCarthy, Deputy Director
Development Review Division
D.C. Office of Planning
801 North Capitol Street, N.E., Suite 4000
Washington, D.C. 20002

Denzil Noble, Acting Zoning Administrator
Building and Land Regulation Administration
Department of Consumer and Regulatory Affairs
941 North Capitol Street, N.E., Suite 2000
Washington, D.C. 20002

**ATTESTED BY:** Jerrily R. Kress

**JERRILY R. KRESS, FAIA**
**Director, Office of Zoning**

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

**BZA APPEAL NO. 16764**

As Director of the Office of Zoning, I hereby and attest that on MAY 2 2 2002, a copy of the foregoing Decision and Order in BZA Appeal No. 16764 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 is listed below:

Darrel J. Grinstead
2964 Chesapeake Street, N.W.
Washington, D.C. 20008

James T. Draude
Driscoll & Draude
1230 Thirty-First Street, N.W.
Washington, D.C. 20007

Marie-Claire Brown
Assistant Corporation Counsel
Civil Division
441 4th Street, N.W., Room 450N
Washington, D.C. 20001

John Patrick Brown, Jr.
Greenstein DeLorme & Luchs, P.C.
1620 L Street, N.W., Suite 900
Washington, D.C. 20036-5605

Phil Kogan, Vice-Chair
ANC 3F
P.O. Box 39290
Washington, D.C. 20016-9290

**BZA Application No. 16764**

Honorable Kathleen Patterson
Councilmember Ward 3
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W., Room 107
Washington, D.C. 20004

Ellen McCarthy, Deputy Director
Development Review Division
D.C. Office of Planning
801 North Capitol Street, N.E., Suite 4000
Washington, D.C. 20002

Denzil Noble, Acting Zoning Administrator
Building and Land Regulation Administration
Department of Consumer and Regulatory Affairs
941 North Capitol Street, N.E., Suite 2000
Washington, D.C. 20002

**ATTESTED BY:**

**JERRILY R. KRESS, FAIA**
**Director, Office of Zoning**

JUN 7 - 2002

Vote taken December 4, 2001, as to property owner's motion to dismiss based on laches:

**VOTE: 4 – 0 – 1** (Carol J. Mitten, Anne M. Renshaw, Geoffrey H. Griffis, and David W. Levy, to deny; the third mayoral appointee not sitting, not voting).

Vote taken December 4, 2001, as to that part of the appeal relating to height limitations:

**VOTE: 3 – 1 - 1** (Carol J. Mitten, David W. Levy, and Anne M. Renshaw, to grant; Geoffrey H. Griffis, opposed; the third mayoral appointee not sitting, not voting).

Vote taken December 4, 2001, as to that part of the appeal relating to the minimum rear yard requirement:

**VOTE: 4 – 0 - 1** (Carol J. Mitten, Anne M. Renshaw, Geoffrey H. Griffis, and David W. Levy, to grant; the third mayoral appointee not sitting, not voting).

Vote taken December 4, 2001, as to that part of the appeal relating to maximum percentage of lot occupancy limitation:

**VOTE: 4 – 0 – 1** (Carol J. Mitten, Geoffrey H. Griffis, Anne M. Renshaw, and David W. Levy, to deny; the third mayoral appointee not sitting, not voting).

Vote taken December 4, 2001, as to that part of the appeal relating to the minimum side yard requirement:

**VOTE: 4 – 0 – 1** (Carol J. Mitten, Geoffrey H. Griffis, Anne M. Renshaw, and David W. Levy, to deny; the third mayoral appointee not sitting, not voting).

Vote taken December 4, 2001, as to that part of the appeal relating to the minimum lot dimension requirements:

**VOTE: 4- 0 – 1** (Carol J. Mitten, Geoffrey H. Griffis, Anne M. Renshaw, and David W. Levy, to deny; the third mayoral appointee not sitting, not voting).

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

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

**FINAL DATE OF ORDER:** _____

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.
MS/rsn