Appeal No. 16935 of Southeast Citizen's for Smart Development, Inc.

PREVIOUS HEARING DATES: JANUARY 21 AND 28, 2003.

16935 Appeal of Southeast Citizens for Smart Development, Inc., pursuant to 11 DCMR §§ 3100 and 3101, from the administrative decision of David Clark, Director, Department of Consumer and Regulatory Affairs, allowing the construction of four (4) single-family dwellings allegedly in violation of the side yard requirements under subsections 405.9 and 775.2, location parking space provisions under subsection 2116.1, parking space accessibility provisions under subsection 2117.4, in a ~~C-2-A~~[1] District at premises 1308, 1310,1312 and 1314 Potomac Avenue, S.E. (Square 1045, Lots 134, 136, 137, 138). **[BZA 16791 is previous appeal associated with the site.]**

APPELLANT:	Southeast Citizens for Smart Development (SCSD), Inc. Represented by Mary F. Withum/Ellen Opper-Wenir
APPELLEE:	Zoning Administrator, Robert Kelly (The Office of Zoning was informed that Mr. Kelly would be in attendance.)
PROPERTY OWNER:	Father Flanagan's Boys Home, Represented by Phil Feola
ANC 6B:	Letter from the ANC supporting the Appellant. Commissioners Julie Olson and Will Hill and Executive Director Candace Avery are authorized to represent the ANC.
COUNCILMEMBER:	Letter from Phil Mendelson supporting the Appellant.

At the January 28, 2003 Public Hearing, the Board discussed the property owner's motion to dismiss the Appeal. The Board voted 3-1-1 to **GRANT** the motion to dismiss the Appeal with regard to parking and to **DENY** the motion to dismiss the Appeal with regard to the side yard requirement (Peter G. May, David A. Zaidain and Anne Mohnkern Renshaw to approve; Geoffrey H. Griffis opposed to the motion; Curtis L. Etherly, Jr. not participating in the discussion, not voting). The Board scheduled a full hearing for **APRIL 1, 2003, afternoon session.**[2] .

When the hearing resumes, the Appellant is scheduled to present facts pertaining to why building permits that were issued to the property owner are allegedly in violation of the side yard zoning requirements. The record indicates that the Appellant anticipates calling Lyle Schauer, Capitol Hill Restoration Society, as a witness. The current exhibits in the record were filed at or before the January Public Hearings. No additional information was available at the close of business Wednesday, March 26, 2003.

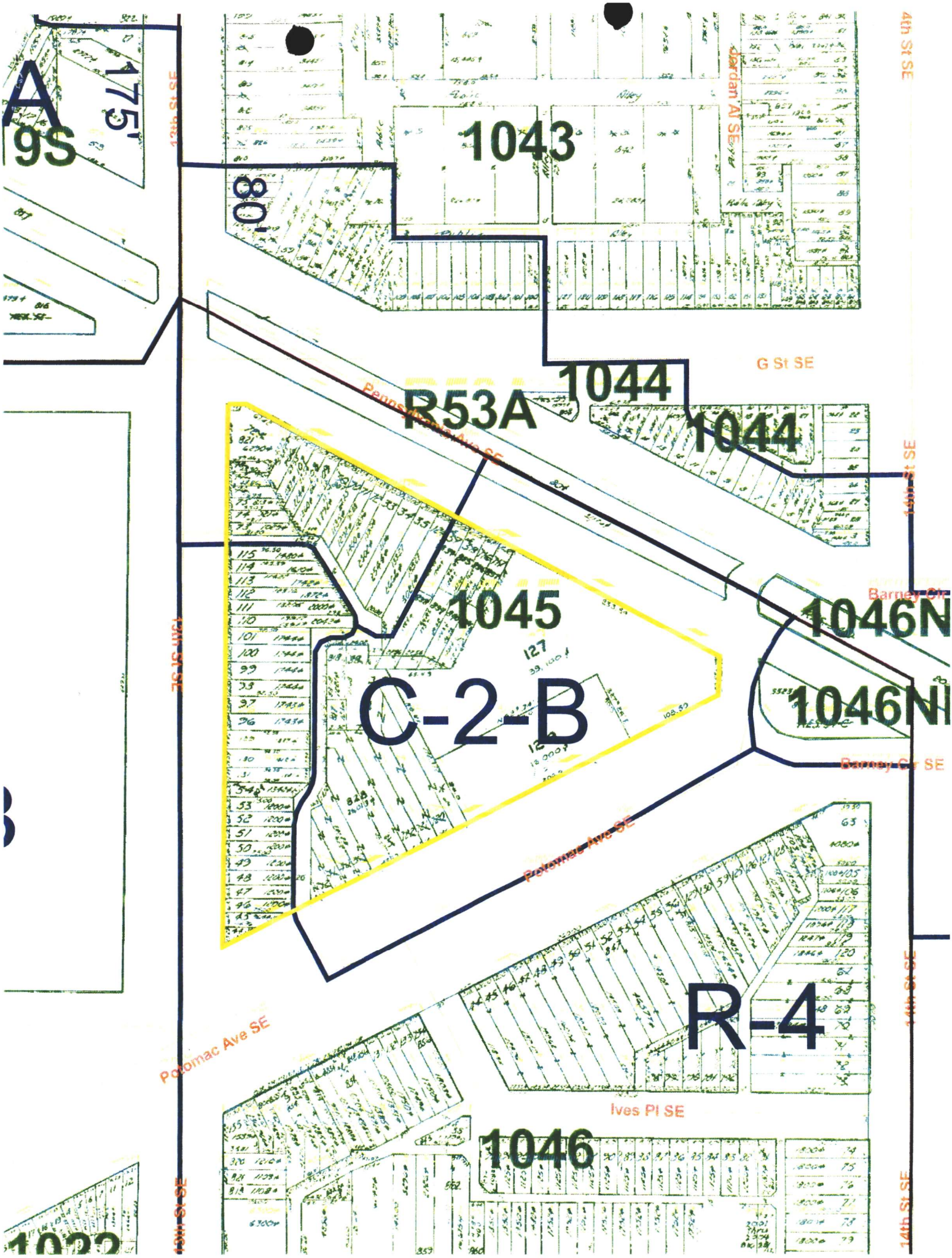
Board Members Scheduled to Participate: Geoffrey H. Griffis, Curtis L. Etherly, Jr. and Peter G. May.

Case No. 16935
Exhibit No. 35

[1] **The site is zoned C-2-B, not C-2-A.**

[2] **The Board requested at the January hearing that this case is the only item on the April 1st afternoon agenda.**

Board of Zoning Adjustment
District of Columbia
CASE NO.16935
EXHIBIT NO.35


1043
1044
1044
R53A
1045
C-2-B
1046N
1046N
R-4
1046
G St SE
Pennsylvania Ave SE
Potomac Ave SE
Potomac Ave SE
Ives Pl SE
Barney Cir
Barney Cir SE
13th St SE
13th St SE
14th St SE
14th St SE
14th St SE
Jordan Al SE
4th St SE
1022