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RICHARD P. SCHMITT (DC, MD)

OF COUNSEL:
NATHANIEL E. BUTLER (DC, IL, CO)

Writer's E-Mail Address: rschmitt@kmklawyers.com

April 3, 2003

HAND DELIVERED

CORRECTED

D.C. BOARD OF ZONING
RECEIVED
2003 APR -3 PM 1:25

Ms. Sherri M. Pruitt
Secretary
D.C. Board of Zoning Adjustment
441 Fourth Street, N.W., Suite 210
Washington, D.C. 20001

Re: Application of William T. & Norma G. Byrd
Square 912, Lot 72
714 10th Street, NE
Continued Hearing Date: April 8, 2003

Dear Ms. Pruitt.

The Board of Zoning Adjustment requested during the March 18, 2003 hearing that a certification of zoning be obtained for 714 10th Street, N.E., (Square 912, Lot 72).

Enclosed please find the certification. The zoning is R-4.

Also enclosed is a synopsis of the zoning history of Square 912 prepared by Betty Williams.

While the certification shows that the zoning is R-5, that does not change the fact that the Byrds and their agents were told that the zoning was C-2-B.

Sincerely,

Richard P. Schmitt /ast

Richard P. Schmitt

cc: Office of Planning
ANC 6A
Marie-Claire Brown

BZA
Case No. 16989
Exhibit No. 31

Board of Zoning Adjustment
District of Columbia
CASE NO. 16989
EXHIBIT NO. 31

F:\WP_FILES\CLIENTS\02375.100\Pruitt.L-02.wpd

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OF COUNSEL:
NATHANIEL E. BUTLER (DC, IL, CO)

Writer's E-Mail Address: rschmitt@kmklawyers.com

April 2, 2003

D.C. BOARD OF ZONING
2003 APR -2 PM 3:50
RECEIVED

HAND DELIVERED

Ms. Sherri M. Pruitt
Secretary
D.C. Board of Zoning Adjustment
441 Fourth Street, N.W., Suite 210
Washington, D.C. 20001

Re: Application of William T. & Norma G. Byrd
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Sincerely,

Richard P. Schmitt

Enclosures: Certification and Synopsis, 20 Copies
cc: Office of Planning
ANC 6A
Marie-Claire Brown

F:\WP_FILES\CLIENTS\02375.100\Pruitt.L-02.wpd

BZA
Case No. 16989
Exhibit No. 31

Government of the District of Columbia

OFFICE OF ZONING

441 4TH STREET, N.W.
SUITE 210
WASHINGTON, D.C. 20001
(202) 727-6311

March 24 2003

I certify and attest that the official records of the Zoning Commission for the District of Columbia indicate that Lot 72 in Square 912 is zoned R-4, as shown on the attached plat.

JERRILY R. KRESS, FAIA
Director
Office of Zoning

2003 APR -2 PM 3:50
D.C. OFFICE OF ZONING

District of Columbia, ss:

Signed and sworn to before me this 26th day of March 2003.

BETTY J. WILLIAMS
Notary Public, D.C.

My Commission expires on February 14, 2006

Synopsis

Square 912

1. The alley between Square 912 and Square 934 were closed in August, of 1977, and thus consolidated into one square. (square 912)

2. November 11, of 1977, Order No. 184 granted a map amendment to change the zone from C-2-A and R-4 to C-2-B and R-5-C.

3. The zone change was noted on the baist atlas in 1977. (The northern portion is C-2-B and the southern portion is R-5-C)

4. The Capitol Hill Restoration Society petitioned the D. C. Court of Appeals. The case was remanded back to the Zoning Commission for further processing.

5. August 11, 1978 by Order No. 232, the Zoning Commission vacated previous Order No. 184.

6. Order No. 184 previously granted a change of zone from C-2-A and R-4 to C-2-B and R-5-C.

7. The zoning for this Square 912 reverts back to C-2-A and R-4. (August 1978)

8. The Zoning Commission requested the re-opening of the public hearing in this case (77-2).

9. November 16, 1978 the case was considered.

10. By Zoning Commission Order No. 260, the Zoning Commission granted the request to change the portion of Square 912 from C-2-A to C-2-B. The zone boundary line was to be moved 170 feet from the right-of-way.

    The portion of Square 912 that is R-4 (lying within 81.81 feet of the right-of-way of the 8th and 10th Streets remains R-4. The remainder of that portion of Square 912 that is zoned R-4 is rezoned to zoned R-5-C.

11. Square 912 was subdivided on Feb. 26th, 1979. (Lots 55, 56, 57 and 58.)

    Lots 56 and 58 were also subdivided in August, 1988.

12. Application was filed (Z.C. Case No. 97-8) requesting a map amendment to change a small portion of Lot 55 that is split-zoned.

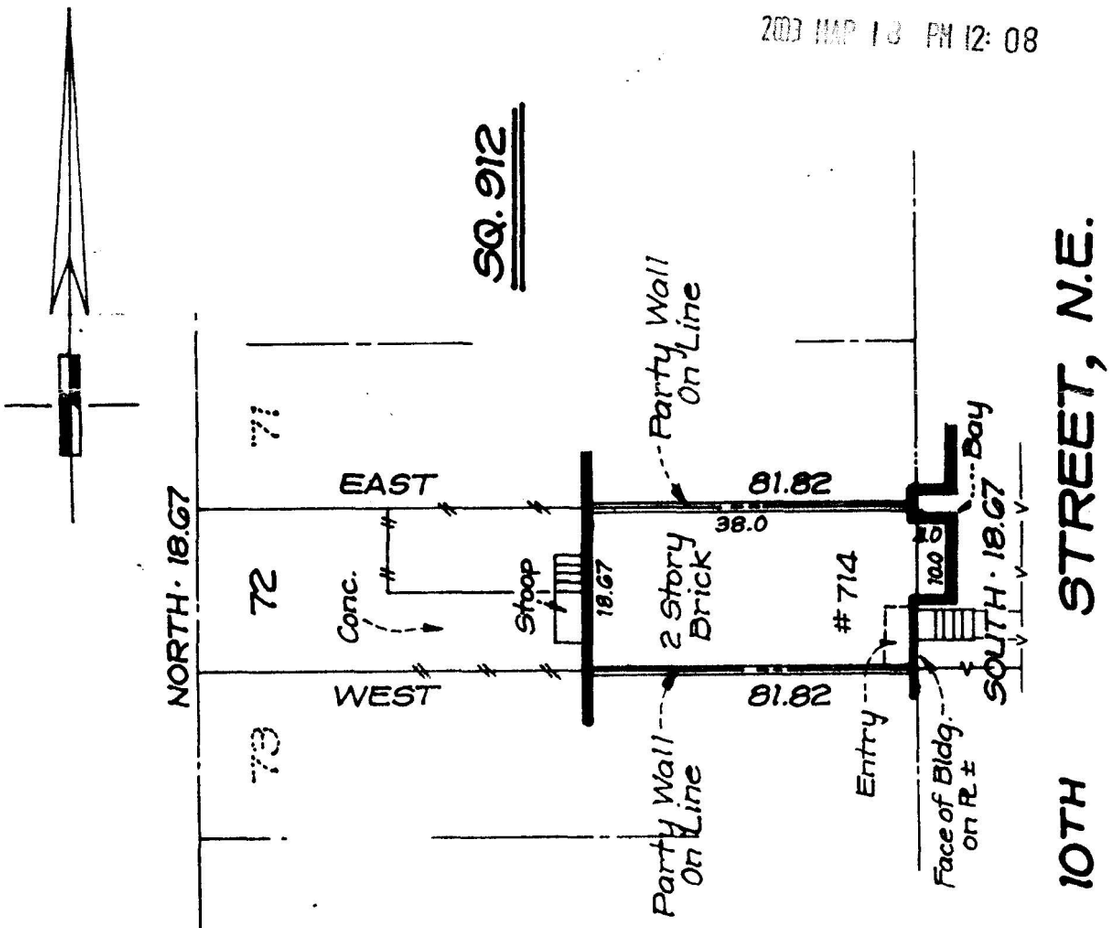
13. Order No. 825 requested that a public hearing be held in reference to Z.C. Case No. 97-8 (July 17, 1997)

14. There is no indication that a public hearing was ever heard in this case (97-8). On July 14, 1997, prior to the Commission ordering a hearing.

15. The Director of the Office of Zoning (Madeline Dobbins.) stated at the July 14, 1997 Monthly Meeting, the Commission might not need to have a hearing on the case if her research and that of David Collby on the zone boundaries show that the site is in the C-2-B zone district.

LANDTECH ASSOCIATES, INC.
7801 BALTIMORE AVENUE SUITE 214
COLLEGE PARK, MARYLAND 20740

RECEIVED
D.C. OFFICE OF ZONING
2003 MAR 13 PM 12:08



March 25, 2003

I certify and attest that the official records of the Zoning Commission for the District of Columbia indicate that Lot 72 in Square 912 is zoned R-4, as shown on this plat.

JERRILY R. KRESS, FAIA
Director
Office of Zoning

DISTRICT OF COLUMBIA
GRADEN A. ROGERS
LS 900374
LICENSED
LAND SURVEYOR

NO TITLE REPORT FURNISHED

LOCATION SURVEY OF 714 10TH STREET, N.E. WASHINGTON, D.C.	LOT: 72	SQUARE: 912
	LIBER: 181	FOLIO: 9
	DATE: 10-6-02	SCALE: 1" = 20'
	CASE NO: 03209089	FILE NO: 1ST 202100

CERTIFICATION: I hereby certify that the position of all the existing visible improvements on the above described property has been carefully established in relation to the apparent title lines and that, unless otherwise shown, there are no visible encroachments. This is not a property line survey and should not be used for the erection of fences or any other improvements or for permit applications.

Graden A Rogers
GRADEN A. ROGERS
D.C. LAND SURVEYOR
LIC. Nº LS900374