

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- November 17, 1971

Appeal No. 10939 Walter H. and Lenora Moeller, appellants

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and carried with Mr. Scrivener absent, the following Order of the Board was entered at the meeting of November 23, 1971.

ORDERED:

That the appeal for a variance from the use provisions of the R-4 District to permit office for nonprofit organization in the basement of residence at 435 New Jersey Avenue, N.W., lot 49, Square 693 be DENIED.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.
2. The property is presently improved with a single family dwelling.
3. Appellant requests a variance from the use provisions of the R-4 District to permit an office in the basement of his home.
4. The proposed office is for a non-profit organization.
5. The total employees in the office will never exceed two.
6. The appellant has stated the non-profit organization to use the proposed space would be the National Committee for an Effective Congress. The hours of operation of the office will be from 9 a.m. to 5 p.m. five days per week.
7. The file contains numerous letters from congressmen and senators supporting the granting of this appeal.
8. At the public hearing, there was strong objection as to the granting of this appeal.

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The objectors viewed the granting of this appeal as an attempt at spot zoning in a residential neighborhood and considers this request unreasonable, and, if granted a precedent for others in the R-4 areas to seek similar variances in order to circumvent the Zoning Laws of the District of Columbia.

OPINION:

We are of the opinion that this use will have an adverse affect upon the present character and future development of the neighborhood and will substantially impair the purpose, intent, and integrity of the Zoning Regulations and Maps.

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

ATTESTED:

By: _____

GEORGE A. GROGAN
Secretary of the Board

3-29-72