

Before the Board of Zoning Adjustment, D. C.

Application No. 11675 of Vashti E. Spriggs, pursuant to Section 8207.2 of the Zoning Regulations for permission to establish a Personal Care Home as provided by Section 3107.414 of the Regulations in the R-1-A Zone District, located at 8307 East Beach Drive, N. W., Lot 27, Square 2760.

HEARING DATE: July 17, 1974

EXECUTIVE SESSION: DENIED from the Bench on July 17, 1974

ORDERED:

That the above application be DENIED

VOTE:

5-0

FINDINGS OF FACT:

1. The Board takes notice of the fact that the use proposed by the applicant would be located in the most restrictive zone districts in the Zoning Regulations, the R-1-A Zone.
2. The subject property is improved by a split level, single family dwelling containing a dining room, kitchen, front room, two baths and three bedrooms on the first level. The second level contains a recreation room with fireplace, a bath and two bedrooms with two exits.
3. The subject property is presently occupied by the applicant and her son of 16 years.
4. The applicant proposes to care for her mother and three (3) other elderly persons, who would not be convalescents.
5. The applicant testified that previously, at the subject property, she operated referral house for Saint Elizabeth Hospital outpatients. She further testified that she had as many as four (4) young men living at the subject property for the last two years who were released from Saint Elizabeth's Hospital.

6. Members of the opposition to this application, testified that, a Personal Care Home would have an adverse affect upon **the** residential character of the neighborhood, by creating a commercial use in the most restrictive zone in the zoning plan and increasing the density of population in the said neighborhood.

7. The opposition stated and the applicant admitted, that the previous outpatient home operated at the subject property caused **the** neighborhood problems.

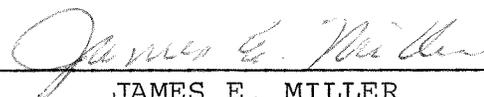
8. The zoning administrator stated that no other Personal Care Homes exist within 600 feet of the subject property.

CONCLUSIONS OF LAW:

Based upon the above Findings, the Board concludes that the proposed Personal Care Home complies with the conditions of Section 3101.414 of the regulations, however, in addition, the Board must, pursuant to its authority under Section 8207.2 of the regulations to grant special exceptions conclude whether or not the proposed use will be in harmony with the general purpose and intent of the Zoning Regulations and will ten to affect adversely the use of neighboring property in accordance with said Zoning Regulations and maps. Based upon the opposition to this case, it is the Board's opinion, that the proposed use will not be in harmony with this most restrictive R-1-A Zoned neighborhood, and that the increase of density of population in the neighborhood which would result from granting of this application, would have an adverse affect upon the neighborhood.

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

ATTESTED BY:



JAMES E. MILLER

Secretary to the Board

FINAL DATE OF ORDER: **AUG 13 1974**