

BEFORE **THE** BOARD OF ZONING ADJUSTMENT, D. C.

Application No. 11852, of Edith D. Purdie and James M. Weightman pursuant to Section 8207.1 of the Zoning Regulations for a variance from the use provisions of the R-4 zone, to permit a doctor's office at the premise 1800 13th Street, N.W., known as Lot 800, Square 238.

HEARING DATE: March 31, 1975

DECISION DATE: April 22, 1975

FINDINGS OF FACT:

1. Applicant proposes a use variance to allow the first floor of the subject property to be used as a doctor's office in the R-4 zone.
2. Applicant previously leased the subject property to a group of doctors who obtained a certificate of occupancy, issued June 27, 1974, to use all floors of the premise as a clinic for humans. Said use ispermitted as a matter of right in an R-4 zone,
3. Applicant purchased the subject property upon the representation of his real estate agent that it was a doctor's or dentist office and the physical arrangement of the premise substantiated the representation. Applicant had no intention to purchase residential property.
4. The subject property would require stripping and alterations prior to any residential **use** as it lacks certain facilities including a kitchen sink and bathtub.
5. The premises are currently encumbered by a lease whereby the lessee is operating a doctor's office.
6. Applicant will suffer some financial loss if he is required to put the property to residential use.
7. Other than the aforesaid findings of fact applicant has presented no substantial facts demonstrating a hardship and established no **facts** indicating a continous non-conforming use.
8. There was no opposition to the application at public hearing

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact, and the record the recood the Board concludes that the applicant has not complied

Application No. 11852

PAGE No. 2

CONCLUSIONS OF LAW: CONT'D

with the intent and meaning of Section 8207.11 in that no substantial evidence **has** been entered on the record to evidence indicate undue hardship upon the owner. The Board further concludes **that the GRANTING of the** proposed variance would create a non-conforming use.

ORDERED: **It is hereby ORDERED** that the above application be, DENIED.

VOTE: 4-0 (Mr. Scrivener not present to vote.)

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

ATTESTED BY:



JAMES E. MILLER

Secretary to the Board

FINAL DATE OF **THIS** ORDER: _____

JUN 09 1975