

Before the Board of Zoning Adjustment, D. C.

Application No. 12047, of Patricia Shtatman-Stia Systems and Associates, Inc., pursuant to Sub-section 8207.1 of the Zoning Regulations, for a variance from the use provisions (Section 3103) to permit an office in the R-3 District at the premises 2134 LeRoy Place, N.W. (Square 2531, Lot 18).

HEARING DATE: January 21, 1976

DECISION DATE: January 21, 1976 (from the Bench).

FINDINGS OF FACT:

1. The property is located in an R-3 District.
2. The property is improved with a large three-story structure containing seven bedrooms. The applicant currently uses part of the structure as her residence and part of the structure as an office for a management consultant.
3. The management consultant employs two secretarial staff people, who would work on the premises but not reside on the premises, as well as two principals of the firm who reside on the premises.
4. The applicant has listed the property for sale, and has received an offer to buy the house contingent on the prospective purchaser selling another house.
5. The property has no exceptional narrowness, unusual shallowness or shape or exceptional topographic condition or other extraordinarily exceptional condition.
6. Two structures on LeRoy Place have recently been converted from non-conforming uses to single family uses. These structures are similar in size to the subject property.
7. The Municipal Planning Office, by report dated January 13, 1976, recommended that the Board grant relief to the applicant by approving a variance to the definition of a home occupation to allow up to two persons who do not reside on the premises to work on the premises. The Municipal Planning Office based this recommendation on the intensification or change in the residential use characteristics of the area.
8. The Sheridan-Kalorama Neighborhood Council opposed the application, based on the belief that the structure could be used as a dwelling and on the potential negative impact on traffic and parking.

9. There was other opposition to the application as well, based on congestion and parking problems.

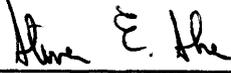
CONCLUSIONS OF LAW AND OPINION

The Board concludes that the applicant has not demonstrated that she will suffer a hardship if the building could not be used for office purposes. There is evidence of record that other structures on the same block have been converted from non-residential uses to conforming single family dwellings. There is also evidence that the structure has no locational, topographical or unusual physical situation. The Board concludes that the applicant could make reasonable use of the property with a conforming R-3 use, as further evidenced by an offer that the applicant has received to buy the premises. It is therefore ORDERED that the subject application be DENIED.

VOTE: 4-1 (Lewis, McIntosh, Harps and Cummings to DENY,
McCants to GRANT).

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

ATTESTED:



STEVEN E. SHER
Acting Secretary to the Board

FINAL DATE OF ORDER: **MAR 2 1976**