

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15274 of John Vassilas, pursuant to 11 DCMR 3107.2, for a variance from the use provisions (Sub-section 501.1) to allow general offices on the first and second floors in an SP-2 District at premises 1926 N Street, N.W., (Square 116, Lots 59 and 60).

HEARING DATE: April 11, 1990
DECISION DATE: May 2, 1990

DISPOSITION: The Board **DENIED** the application by a vote of 3-0 (William F. McIntosh, Carrie L. Thornhill and Paula L. Jewell to deny; Charles R. Norris not voting; not having heard the case).

FINAL DATE OF ORDER: September 30, 1991

RECONSIDERATION ORDER

The Board denied the application by its order dated September 30, 1991. On October 8, 1991, the applicant's representative filed a timely motion for reconsideration of the Board's decision or for rehearing of the application. At its public meeting of November 6, 1991, the Board **DEFERRED** consideration of the motion to allow Board members Pruitt and Norris to read the record and participate in the decision on the matter.

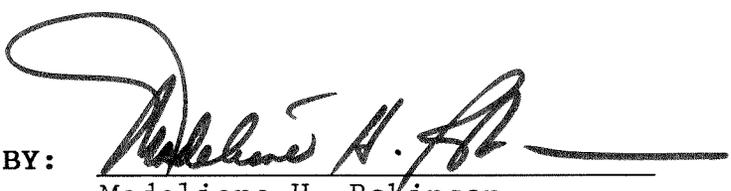
Upon consideration of the motion, the record in the application, and its final order, the Board concludes that the motion does not specify any errors in the Board's findings of fact or conclusions of law, nor does it proffer any new evidence which was not available at the public hearing to justify rehearing of the case. The motion merely restates the facts and arguments presented during the hearing process on the application. There was no response to the motion for reconsideration or rehearing. The Board notes that the applicant's argument that the tenants of the premises should qualify as "professional offices" which would be permitted under the special exception relief granted by the Board in its Order No. 14594 does not begin to satisfy the stringent criteria necessary to justify the granting of a use variance and does not represent a condition inherent in the property itself. If the applicant believes the decision of the Zoning Administrator as to the "professional" status of the tenants is in error, relief should more properly be sought through the appeal process. Accordingly, it is **ORDERED** that the motion for reconsideration or rehearing is hereby **DENIED**.

DECISION DATE: December 4, 1991

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VOTE: 3-0 (Charles R. Norris and Paula L. Jewell to deny; Sheri M. Pruitt to deny by proxy; Carrie L. Thornhill not present, not voting).

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

ATTESTED BY: 
Madeliene H. Robinson
Acting Director

FINAL DATE OF ORDER: JAN 24 1992

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

ord15274/LJP

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



APPLICATION/APPEAL NO. 15274

As Acting Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order in this application/appeal dated JAN 24 1992 has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

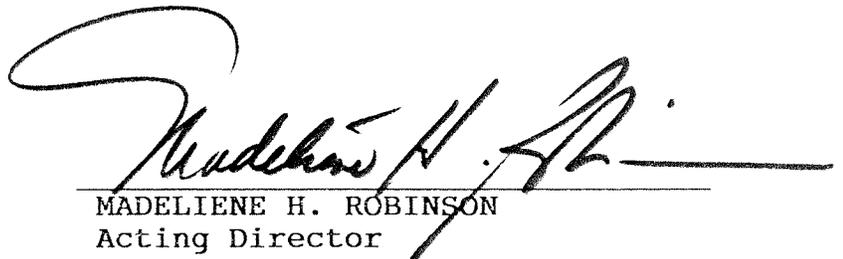
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Ms. Alaire Bretz Rieffel, Chairperson
Advisory Neighborhood Commission 2-B
1526 Connecticut Avenue, N.W.
Washington, D.C. 20036


MADELIENE H. ROBINSON
Acting Director

DATE OF APPROVAL: JAN 24 1992