GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

July 20, 2000

DISTRICT OF COLUMBIA
OFFICE OF ZONING
00 JUL 24 A9:21

Phinis Jones
Ashley House, Inc.
3215 M.L.K Avenue, S.E.
Washington, D.C. 20020

Re: 4645 N.H.B. Avenue, N.E.

Square: 5147 Lot(s): 65 and 66
(Bsmt., 1st, 2nd, 3rd & 4th Floors)
Zoned: C-1

Dear Mr. Jones:

Your certificate of occupancy application #800963 filed to use the subject premises as an "Adult Rehabilitation Home - 60 residents and 9 rotating staff" is disapproved due to the need for Board of Zoning Adjustment approval. The property for purposes of zoning is classified as C-1 which does not allow your proposed use. You may, however, request a variance from the use provisions (DCMR Title 11, Section 701.1) of the C-1 Zone. The variance must be obtained through a public hearing before the Board of Zoning Adjustment.

The Board has authority to grant variances under provisions of DCMR Title 11, Section 3107.2 which reads as follows:

> "As set forth in D.C. Code, Section 5-424(g)(3), 'Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under D.C. Code, Sections 5-413 to 5-432 would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the

BZA
Case No. 16609
Exhibit No. 10

Board of Zoning Adjustment
District of Columbia
CASE NO.16609
EXHIBIT NO.10

This letter must be presented to the Office of the Board of Zoning Adjustment, Room 210, 441 4th Street, N.W., when requesting special approval. If your request is granted, a new certificate of occupancy application must be filed.

Sincerely,

Michael D. Johnson
Zoning Administrator

MDJ/TB/ee

Cc: Armando M. Lourenco
Jerrily R. Kress
Toye Bello