REVISED

Application No. 16989 William T. and Norma G. Byrd

RELIEF SOUGHT: Pursuant to 11 DCMR § 3103.2, for a variance from the use provisions to allow office use within a two story row dwelling under section 330.5 at premises 714 10th Street, N.E.

PRELIMINARY MATTERS:

- **Research conducted by the Office of Zoning indicates that there is discrepancy between the zoning designation of the site and Baist's Real Estate Atlas. Additional research is needed to clarify the site's zoning history.**

- **Request for Party Status**

ZONING:	R-4 District
SQUARE & LOT:	Square 912, Lot 72).
OFFICE OF PLANNING:	**OP recommends DENIAL of the application. Exhibit No. 23. The report was timely filed.**
ANC 6A:	**The ANC is OPPOSED to approval of the application. Exhibit No. 25. The report was filed late; a waiver is needed.**
REQUEST FOR PARTY STATUS:	**Marie-Claire Brown, Exhibit No. 19 The request was timely filed.**
AFFIDAVIT OF POSTING:	**The property was posted and the Affidavit of Posting timely filed. Exhibit No. 24.**

NOTES:

The Applicants indicated that they purchased the subject property in October 2002 with the intention of using it for office space. The real estate agent selling the property informed them that the land is zoned for commercial use. Additionally, the project's Appraisal Report and the Metropolitan Regional Information Systems, Inc. listing also indicated that the property is zoned C-2-B. The Applicants stated that they were not formed that the property is zoned for residential use (R-4) until after their application for a Certificate of Occupancy was rejected by DCRA.

Case No. 16989
Exhibit No. 28

Board of Zoning Adjustment
District of Columbia
CASE NO. 16989
EXHIBIT NO. 28

Referral from the Zoning Administrator. Exhibit No. 6.

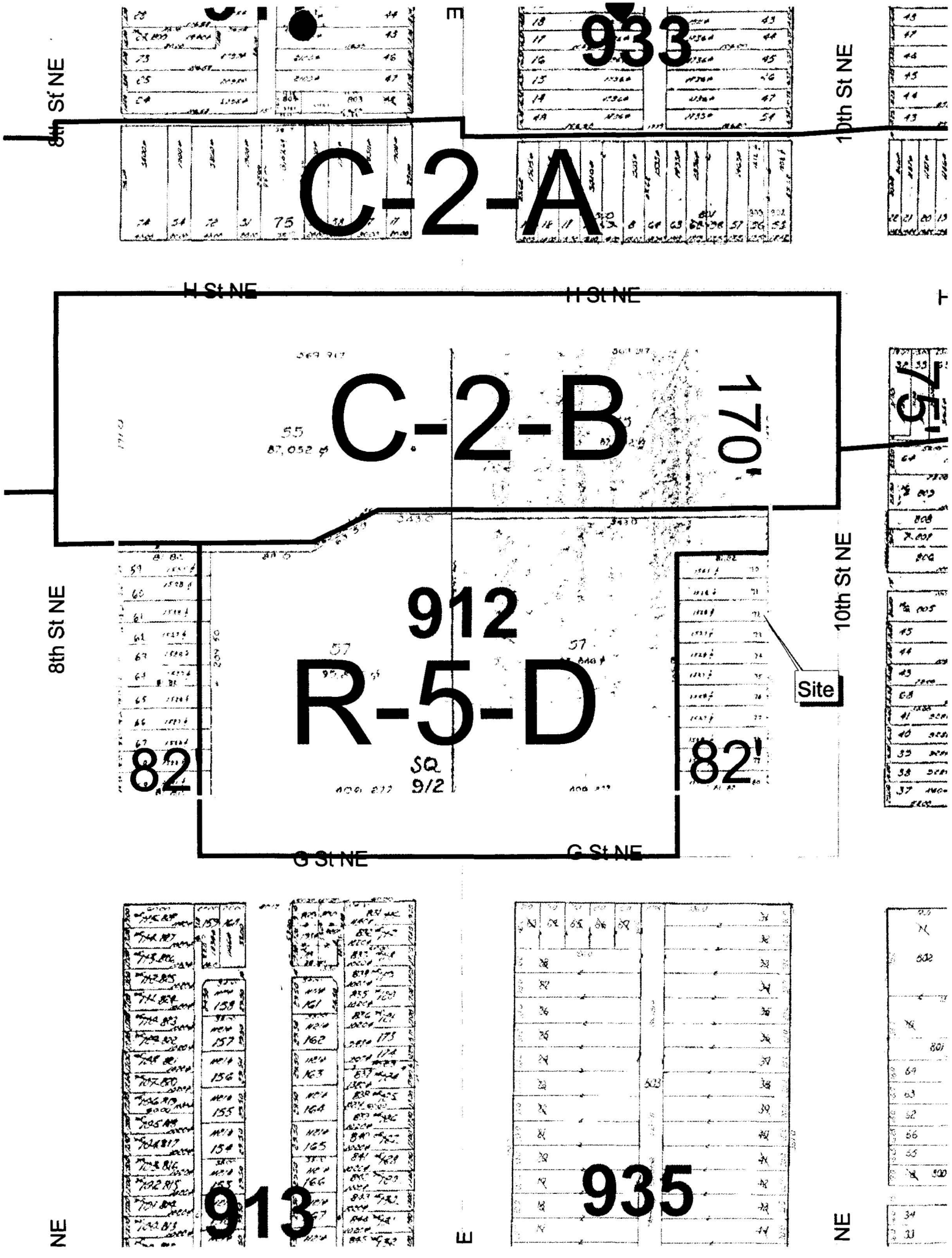
Letter of Authorization. Exhibit No. 3 page 23

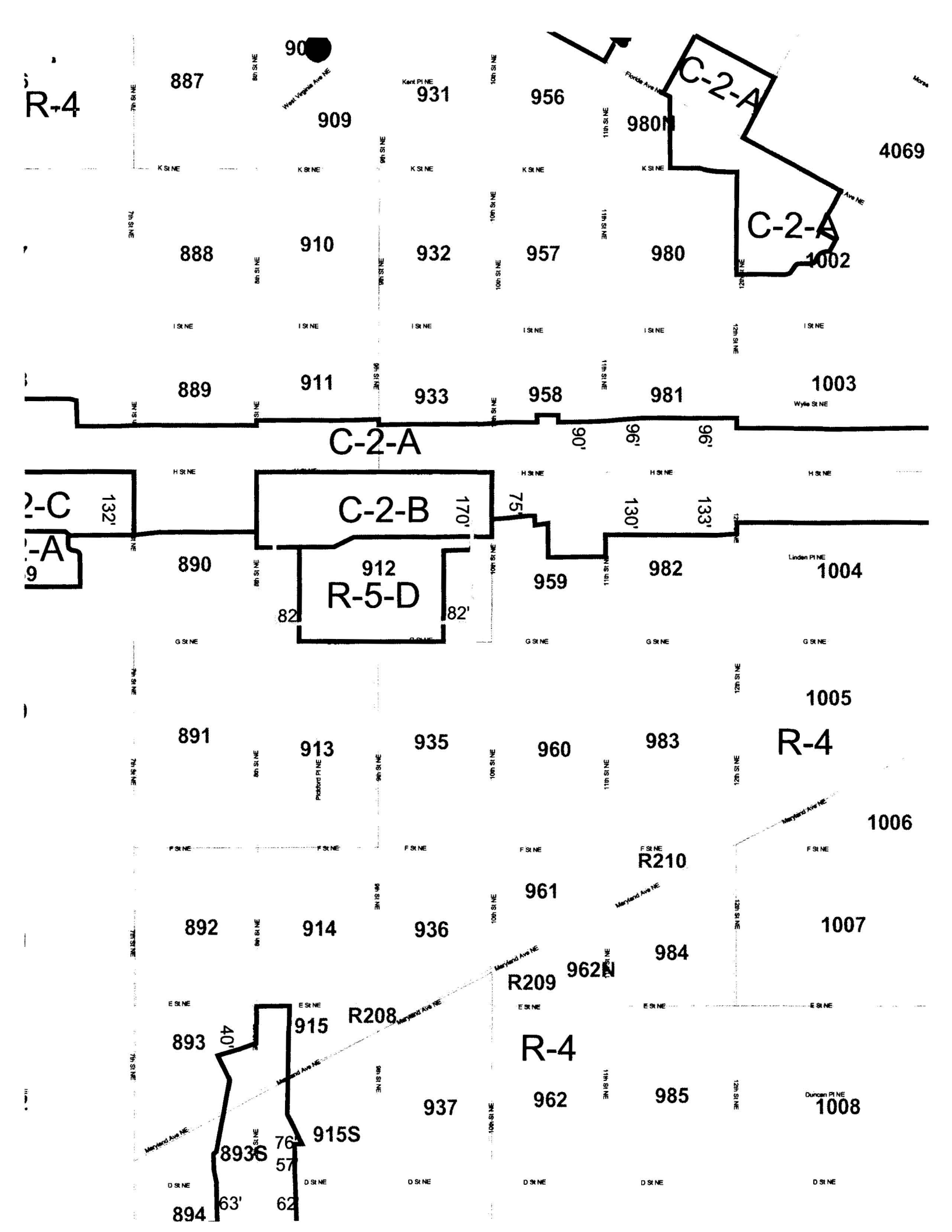
The Applicant's pre-hearing statement was filed 14 days prior to the hearing. Exhibit No. 20.

Letters of Opposition

1. **Mary E. Dilworth, Exhibit No. 22**
2. **Marvin Coles, Exhibit No. 21**
3. **Mary Kay Fannerella, Exhibit No. 26**

The Applicant's attorney is Benny L. Kass


933
C-2-A
H St NE
11 St NE
C-2-B
170'
8th St NE
10th St NE
912
R-5-D
Site
82'
82'
SQ
912
G St NE
G St NE
913
935


R-4
887
909
931
956
980N
4069
C-2-A
888
910
932
957
980
1002
889
911
933
958
981
1003
C-2-A
90'
96'
96'
C-2-B
170'
75'
130'
133'
132'
890
912
R-5-D
959
982
1004
82'
82'
891
913
935
960
983
R-4
1005
892
914
936
961
984
1007
R210
R209
962N
1006
R208
893
915
R-4
937
962
985
1008
40'
915S
893S
76'
57'
894
63'
62'
Kent Pl NE
West Virginia Ave NE
Florida Ave NE
Maryland Ave NE
Wylie St NE
Linden Pl NE
Duncan Pl NE
Pickford Pl NE
K St NE
I St NE
H St NE
G St NE
F St NE
E St NE
D St NE
7th St NE
8th St NE
9th St NE
10th St NE
11th St NE
12th St NE