SECOND FLOOR (1,214 SQUARE FEET)
SEPARATE ENTRANCE 2 BEDROOMS 1 BATHROOM
1 KITCHEN

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D.C. OFFICE OF ZONING
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The current use, Two Family Flat, prevents the property owners from dividing the house into three separate units. Subsequently, this makes it difficult for the owner to use the property and maximize on all available space and remain in compliance with Zoning Regulations. Moreover, the property owners are faced with a financial hardship by meeting the existing financial obligations, mortgage, taxes, upkeep, etc, without the ability to have three units created. There does exist an exceptional or extraordinary situation or condition related to the property, which creates an undue hardship for the owner in complying with the Zoning Regulations. The historic architectural design, coupled with the fact that the property is significantly larger than the other homes on the block because it is a corner lot with over 3,900 square feet of space can be easily converted into a three unit apartment without causing substantial detriment to the public good. The District of Columbia Office of Planning, Historic Preservation Office has indicated a willingness to support the conversion into a three unit flat as described because it will enable the uniqueness of the property-- two front doors-- to remain an anomaly in this Historic Capital Hill neighborhood. The original building permit issued in May 9, 1905 indicates that the structure

BZA
Case No. 17004
Exhibit No. 4

Board of Zoning Adjustment
District of Columbia
CASE NO. 17004
EXHIBIT NO. 4

was constructed a Flat, hence the continuation of such use, slightly expanded would not cause adverse or detrimental impact on the neighborhood. The rational as articulated by the Historic Preservation Office is simply that the uniqueness of the property and hence the neighborhood may change if property owners chose to convert the design to only one front door, as opposed to the concept of two front doors.

The granting of this application will not be a substantial detriment to the public good with respect to traffic, noise, and lighting. Nor would the tenants in the three-unit dwelling have a negative impact on the traffic or the noise. It is not anticipated that the conversion of use would have an adverse impact on the immediate area with regard to vehicular traffic. The owner would screen the tenants and would ensure that they would comply the District of Columbia laws, regulations and ordinance. The granting of the application will not be inconsistent with the general intent and purpose of the Zoning Regulations.

There are several other homes in the general vicinity that have been converted to multi-family use, such as the property located at 651 10th Street, N.E. which was granted a Special Exception to allow an emergency shelter

for 138 women in the basement through the second floor and trailers in an R-4 District. (See Zoning Application No. 15412)

Based upon the information herewith provided, the Applicant has met the burden of proof, pursuant to 11 DCMR 3107, and the requested relief can be granted without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map. We respectfully request a Use Variance under section 3103.2 of the District of Columbia Municipal Regulations.

NAMES AND MAILING ADDRESS OF PERSONS WHO HAVE A LEASE WITH OWNER

TENANTS

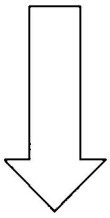
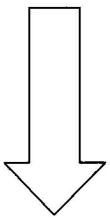
Joel N. Simon
7006 Longwood drive
Behesda, Maryland 20817

Nancy Heisel
244 12th Street, S.E. (Second Floor)
Washington, D.C.

Patrick Norton & Jeanette Lowe
244 12th Street, S.E. (Basement)
Washington, D.C.

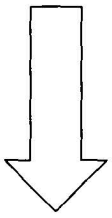
David Hollender, Jr.
244 12th Street, S.E.
Washington, D.C

OWNERSHIP CHAIN
244 & 244 12TH STREET, S.E.

LANDLORD	MR. ROBERT PLATT 622 DAHLONEGA ROAD BETHESDA, MARYLAND 20817
	
TENANT SECOND FLOOR & BASEMENT[2]	JOEL N. SIMON 7006 LONGWOOD DRIVE BETHESDA, MARYLAND 20817
	
SUBLEASEE SECOND FLOOR[3]	NANCY HEISEL 244 12TH STREET, S.E. WASHINGTON, D.C.

[2] SIGNED 2/15/02

[3] SIGNED 3/1/02

SUBLEASEE BASEMENT[4]	PATRICK NORTON & JEANETTE LOWE 244 12TH STREET, S.E. WASHINGTON, D.C.
LANDLORD	ROBERT PLATT 6222DAHLONEGA ROAD,BETHESDA, MARYLAND29817 ROAD
	
TENANT	DAVID HOLLANDER, JR. 244-A 12TH STREET, S.E., WASHINGTON, D.C.

[4] SIGNED 3/1/02