Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - July 15, 1970

Appeal No. 10451 Robert and Fanny Becker, appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried the following Order of the Board was entered at the meeting of July 21, 1970.

EFFECTIVE DATE OF ORDER - January 27, 1971

ORDERD:

That the appeal for variance from the use provisions of the R-4 District to permit second hand furniture store in lieu of TV repair shop at 1720 - 1st St., NW, lot 814, Square 3104, be denied.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.

2. The subject property is presently vacant, however, the last occupancy was a TV Repair Shop under Certificate of Occupancy B-67693.

3. Appellant proposes to establish a second hand furniture store on subject property.

4. The appellant was not present at the public hearing on July 15, 1970, however, the opposition was present and objected strongly to the granting of this appeal.

5. The board in executive session July 21, 1970 denied appellants appeal.

6. At the September 16, 1970, Public Hearing the appellant appeared and requested a rehearing and/or reconsideration of his appeal because he was out of town during the July 15, 1970 Public Hearing.

7. Appellant alleged that an elderly couple would operate the second hand furniture store and no furniture would be placed out side of the store. Appellant further alleged that no furniture repairs would be done on the premises.

8. Opposition was registered at the Public Hearing to the granting of the appeal.

OPINION:

We are of the opinion that appellant hasnot proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will not result in peculiar and exceptional practical difficulties or undue hardship upon the owner.

Further, we hold that requested relief cannot be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

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

BY: PEKelly
PATRICK E. KELLY
Secretary of the Board