

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - December 9, 1970

Appeal No. 10610 Philip Roth, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried, with Arthur B. Hatton dissenting, the following Order was entered at the meeting of December 15, 1970.

EFFECTIVE DATE OF ORDER - Feb. 2, 1971

ORDERED:

That the appeal for permission to change a nonconforming use from a grocery store to a grocery delicatessen at 200 Rhode Island Avenue, NW., Lot 133, Square 3098, be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.
2. The property is improved with a brick structure which is used as a grocery store under Certificate of Occupancy B75350.
3. Appellant proposes to establish a grocery-delicatessen.
4. The appellant alleged that light food will be prepared for consumption off the premises and that adequate trash barrels would be provided on the outside of the building for the trash.
5. No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that this use will not have an adverse affect upon the present character and future development of the neighborhood and will not substantially impair the purpose, intent, or integrity of the Zoning Regulations and Map.

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This Order shall be subject to the following conditions:

- [a] No neon or gas tube displays shall be located on the outside of the building nor shall any such displays, if placed inside the building, be visible from the outside.
- [b] Permit shall issue for a period of three (3) years, but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.

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

ATTESTED:

By: _____



PATRICK E. KELLY
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.