

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - September 15, 1971

Appeal No. 10860 Daniel Diener, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with the absence of Messrs. Scrivener and Mackey, the following Order of the Board was entered at the meeting of September 21, 1971.

EFFECTIVE DATE OF ORDER - Nov. 17, 1971

ORDERED:

That the appeal for permission to change a nonconforming use from a drug store to a food store at 215 New York Avenue, NW., Lot 162, Square 555, be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.
2. The property is improved with a one-story brick store front building presently vacant, but previously used as a drug store.
3. Appellant request permission to change a nonconforming use from a drug store to a food store.
4. Appellant stated that there is a need for a grocery carryout in the neighborhood as the nearest is several blocks away.
5. No opposition to the granting of the 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.

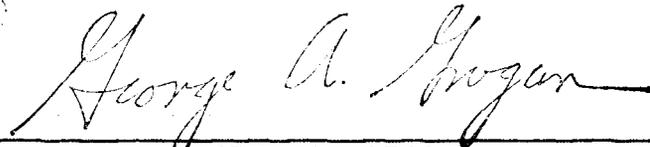
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This Order shall be subject to the following condition:

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.

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

ATTESTED:

By: 

GEORGE A. GROGAN
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.