

Before the Board of Zoning Adjustment, D. C.

Application No. 11389 of Israel S. Mendelson pursuant to Section 7104.2 to change a C-2 nonconforming use from a Women's Apparel and Antique Shop to a dentist's office and dental laboratory on first floor basement at 3003 P Street, N.W., Lot 291, Square 1269.

HEARING DATE: June 20, 1973

EXECUTIVE SESSION: July 24, 1973

FINDINGS OF FACT:

1. The property is located in an R-3 District.
2. In addition to a Women's Apparel and Antique Shop, the building also has apartments above on the second, third, and fourth floors.
3. The former use of the property began 25 years ago.
4. The proposed dentist office and dental laboratory would serve area-wide clientele.
5. The property has no parking facility.
6. The proposed use of the property would be Less restrictive.
7. Evidence of Record indicates that 39 letters of opposition were filed, complaining of traffic and parking problems which already exist in the neighborhood.

CONCLUSIONS OF LAW:

Based upon the findings of fact, we conclude that the applicant has not satisfied the requirements which the Board must follow in exercising its authority to grant change of a nonconforming use set forth in Section 7109 of the Zoning Regulations.

We are also of the opinion that this use will have an adverse effect upon the present character of the neighborhood, and impair the purpose, intent, and integrity of the Zoning Regulations and Map.

ORDERED:

That the application be DENIED.

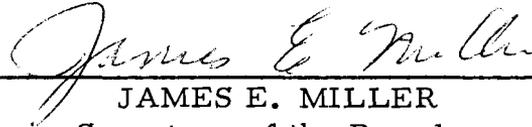
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VOTE: 3-1-0 Mr. Hatton dissenting and Mr. Harps not voting.

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

ATTESTED BY:



JAMES E. MILLER  
Secretary of the Board

FINAL DATE OF ORDER: **AUG 31 1973**