

Before the Board of Zoning Adjustment, D. C.

Application No. 11395, of Agnes Baker pursuant to Section 8207.11 of the Zoning Regulations, for a variance from the use provisions of the SP District to establish a variety store retail sales at 1214 13th Street, N.W., Lot 827, Square 245.

HEARING DATE: June 20, 1973

EXECUTIVE SESSION: June 26, 1973

FINDINGS OF FACT:

1. The property is located in an SP District.
2. The property is improved by a two-story brick row building composed of retail stores.
3. The second floor has been used as an apartment and the first floor as professional offices. Both are presently vacant.
4. Applicant proposes to operate a five and dime store of the variety type.
5. The prior use for the subject space was a dentists office.
6. No opposition was registered.

CONCLUSIONS OF LAW:

Applicant has presented no evidence which indicates that this building cannot be used in conformance with its present zoning. Further, we are of the opinion that applicant has failed to prove a hardship within the meaning of the variance clause of the Zoning Regulations.

Also we hold that the requested relief cannot be granted without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

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ORDERED:

THAT THE ABOVE APPLICATION BE DENIED.

VOTE: 4-0 Mr. Harps not voting.

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

ATTESTED BY: James E. Miller
JAMES E. MILLER
Secretary of the Board

FINAL DATE OF THIS ORDER: 8 SEP 1979

Before the Board of Zoning Adjustment, D. C.

Application No. 11395 of Agnes Baker, pursuant to Section 8207.1 of the Zoning Regulations, for a variance from the use provisions of the SP District to establish a variety store retail sales at 1214 13th Street, N.W., Lot 827, Square 245.

HEARING DATE: June 20, 1973

EXECUTIVE SESSION: October 30, 1973

ORDERED:

That applicant's motion for waiver of the Board's Rules of Practice and Procedure to allow late filing of a motion for rehearing is hereby, DENIED.

VOTE: 3-0 (Mr. Scrivener and Mr. Harps not present.)

ATTESTED By: James E. Miller
JAMES E. MILLER
Secretary to the Board

FINAL DATE OF THIS ORDER: **NOV 13 1973**