

Before the Board of Zoning Adjustment, D. C.

Application No. 11533 of the Trust of Estelle Gelman, et al, pursuant to Section 8207.2 of the Zoning Regulations, for a special exception to operate an adjunct to an apartment house for conducting the retail sales of gift items and the making of clothing as provided by Section 3105.43, at premise 4201 Cathedral Avenue, N. W., Lot 800, Square 160.

HEARING DATE: January 16, 1974

EXECUTIVE SESSION: March 26, 1974

FINDINGS OF FACT:

1. The premises are located in an R-5-A Zoning District.
2. The previous use was that of a florist shop under Board of Zoning Adjustment Order No. 5236. Applicant proposes to use premise as a tailor and gift shop.
3. A grocery store and a hairdresser are presently operating on the premises under special exceptions.
4. The shop is located in the first basement of the west wing of the premises.
5. There is no direct entrance to the tailor shop from the outside of the building. Entrance to the shop is either by use of an elevator or a stairway.
6. No part of the shop is visible from a sidewalk.
7. There are no signs or displays indicating the existence of the shop.
8. The center of the principal entrance of the premises is more than one-fourth mile walking distance from the nearest principal business street frontage of any business district previously established and operating in a Commercial or Industrial District. The nearest C-1 Zoned land is located on New Mexico Avenue and is presently known as the Foxhall Square Office Building which is under construction at this site. The appropriate distance has been measured at Sixteen Hundred Forty feet (1,640') which exceeds a quarter mile by some three hundred twenty feet (320').

9. The nearest operating commercial business district to the premises is along parts of Wisconsin Avenue and is over a mile from the premises. Shops located there offer a variety of retail foods and services. In most instances on-site, off-street parking is not provided.

10. David's Tailor and Gifts has been operating at the premises since July 3, 1971. In 1971 the business created by the tenants at the premises accounted for over 50% of the gross receipts of David's Tailor and Gifts. In 1972 the aforesaid percentage increased to over 60% of the aforesaid gross receipts. Applicant estimates that in 1974 the said percentage will increase to over 75% of the said gross receipts.

CONCLUSIONS OF LAW:

The Board is of the opinion that the proposed use is in keeping with the past use of the premises. We are further of the opinion that the use is in harmony with the intent and purpose of the Regulations and will not adversely affect any properties within the meaning of the Zoning Regulations.

ORDERED:

That the above application be GRANTED.

VOTE: 3-2 (Mr. Scrivener and Mr. McIntosh dissenting)

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

ATTESTED BY:

  
JAMES E. MILLER  
Secretary to the Board

FINAL DATE OF ORDER: APR 17 1974

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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 DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.