

Before the Board of Zoning Adjustment, D. C.

Application No. 11689 of National Association of Retired Federal Employees pursuant to Section 8207.1 of the Zoning Regulations for a special exception to change a non-conforming use from an antique shop (1st floor) to offices for a non-profit organization as provided by Section 7104.2 of the regulations at 1901-1919 Que Street, N. W., Lot 54, Square 111.

FINDINGS OF FACT:

1. The office building located on the subject property contains the following uses:
 - A. Basement - storage
 - B. First floor - Office for Dupont International travel agency (without Certificate of Occupancy)
 - C. Second, third, fourth and fifth floors - Offices for the National Association of Retired Federal Employees, a non-profit organization.
2. The applicant proposed to use the first floor for a receptionist area, a library and a conference room as accessory to office uses which will be carried on in the rest of the building.
3. The Institute for Policy Studies currently has a Certificate of Occupancy for use of the second, third, fourth and fifth floors of the building as a non-profit organization as did the former occupants, the National Federation of Retired Emplotees.
4. The Board of Zoning Adjustment, in Appeal No. 8048 granted the applicant permission to extend an existing non-conforming office use throughout the entire building located on the subject property excepting the first floor.
5. Opposition at Public Hearing was based on the facts that the non-conforming use of the antique shop was discontinued because of the use of the first floor as a travel agency which is a commercial use and was illegal.
6. The Board finds that the first floor of the building located on the subject property is now vacant.

7. The only existing Certificate of Occupancy on record for the first floor is permits on antique shop which is a permitted C-2 use.

8. The non-conforming use of the subject property is a permitted SP use, whereas the property is zoned R-5-B.

CONCLUSIONS OF LAW AND OPINION:

Based on the above findings, the Board is of the opinion that the change of non-conforming use should be granted, because the proposed change from a legally permitted antique shop which is a C-2 use, to a non-profit office use which is SP, in effect changes the previous C-2 use in the direction of conformity. The Board is of the opinion, that since the entire building, except the first floor is a legal non-conforming use, that the same use of the first floor will not adversely effect the neighborhood by reason of increased traffic or noise or be otherwise objectionable.

ORDERED:

That the above application be GRANTED.

VOTE:

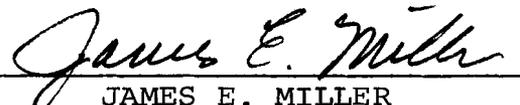
4-1 (Lilla Burt Cummings, Esq. dissenting.)

HEARING DATE: August 21, 1974

EXECUTIVE SESSION: August 27, 1974

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

ATTESTED BY:



JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER: OCT 03 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.