

Before the Board of Zoning Adjustment, D. C.

Application No. 11743 of William Melby, pursuant to Section 8207.2 of the Zoning Regulations for a special exception to permit a change of non-conforming use from a grocery store to a grocery store and delicatessen as provided by Sections 7104.2 and 7109 of the Regulations in the R-4 zone, at the premises 1723 - 9th Street, N. W., Lot 20, Square 395.

HEARING DATE: November 20, 1975

DECISION DATE: January 21, 1975

1. The subject property is located in the Redevelopment Land Agency (RLA) 4th year Neighborhood Development Plan. The RLA proposes to demolish for new construction the majority of structures in the neighborhood of the subject property.

2. The RLA stated that the use proposed in this application is suitable to the neighborhood wherever the proposed use would be located.

3. The proposed use is a use that would be permitted in the most restrictive zone where the existing non-conforming use is permitted.

4. No opposition was raised at the public hearing of this application.

5. The proposed use is of a neighborhood character.

CONCLUSIONS OF LAW:

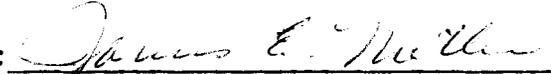
The Board concludes as a matter of law, that the proposed change of non-conforming use is a proper one as provided by Section 7104.2 of the Regulations, and no opposition having been raised, is of the opinion that this application, if granted, would not be objectionable or adversely affect nearby or adjoining property.

ORDERED: That the above application be GRANTED.

VOTE: 4-0 (Mr. Klauber not voting, not having heard the case.)

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

ATTESTED BY:

  
JAMES E. MILLER,  
Secretary to the Board

FINAL DATE OF ORDER: FEB 09 1975

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.

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