

Before the Board of Zoning Adjustment, D. C.

Application No. 11841 of Harry & Leon Minkoff, et al, pursuant to Section 8207.2 of the Zoning Regulations for a special exception to permit a change of non-conforming use from a restaurant and retail sales of patent medicines to a restaurant seating 100 persons, as provided by Section 7104.2 and 7109 of the regulations, at the premises 6817, Georgia Avenue, N. W., in the R-5-B zone, known as lots 9, 10, 11, 12, in Square 2968.

HEARING DATE: February 19, 1975
DECISION DATE: February 25, 1975

FINDINGS OF FACT:

1. The subject property is located on a portion of the first floor of an existing apartment building, which was last occupied by a use involving restaurant facilities, the sales of patent medicine, and a tailor shop.

2. The subject property has been vacant and unused for approximately eight years.

3. The applicant proposes to use this same space for a restaurant use seating 110 persons without sales of patent medicine and tailorshop facilities.

4. The applicant proposes to operate the proposed restaurant six days per week for about twelve hours a day.

5. The proposed use would be a neighborhood use since the tenants of the building and their guests would use the facility.

6. The restaurant has 10 garage parking spaces underneath the first floor of the apartment building, however, the previous use had no off-street parking facilities.

7. Both the proposed use and existing legal non-conforming use are categorized as C-1 uses.

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

9. There is no evidence of record which would tend to indicate that the proposed use would be objectionable.

CONCLUSION OF LAW & OPINION

Based upon the above findings, and the record, the Board is of the opinion that the proposed change of non-conforming use is proper, and that such use should not be objectionable. The applicant has satisfied the conditions of Sections 8207.2, 7104.2, and 7109 of the regulations and

that the proposed **use** is in harmony with the meaning and intent of the Zoning Regulations and Maps.

ORDERED: That the above application be GRANTED.

Vote: 5-0

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

ATTESTED BY: *James E. Miller*
JAMES E. MILLER,
Secretary to the Board

FINAL DATE OF ORDER:

APR 08 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.