

BEFORE THE BOARD OF ZONING ADJUSTMENT, D. C.

Application No. 11964, of William M. Murray and John H. Heister, pursuant to Section 8207.2 of the Zoning Regulations, for a special exception to permit a change of non-conforming use from a dry cleaning agency to the use of retail clothing sales, tailoring and alterations of the same on the first (1st) floor, as provided by Sections 7104.2 and 7109 of the regulations, in the SP zone, at the premises 1015 - 11th Street, N. W., Lot 10, Square 342.

HEARING DATE: August 20, 1975

DECISION DATE: September 5, 1975

FINDINGS OF FACT:

1. Applicant's propose to lease their three (3) story brick building with basement previously used as a dry cleaning agency.

2. Lessees intend to use the first (1st) floor of the premises for retail clothing sales, tailoring and alterations.

3. In lieu of a letter of authorization permitting the lessees to represent the owners the Chairman accepted at public hearing a copy of the lease executed by both the lessees and the owners wherein the proposed change of non-conforming use is contemplated. The record also reflects a copy of a letter dated August 20, 1975, from Ruppert Real Estate, Inc., the owner's authorized real estate agents, confirming the validity of the executed lease.

4. Lessees intend to eventually rehabilitate the entire building but initially request use of the first (1st) floor only. The store will operate six (6) days a week from 8:00 a.m. until 6:00 p.m. with one (1) or two (2) employees.

5. There is parking for approximately six (6) automobiles at the rear of the subject premises. Lessees currently have no delivery vehicles but may obtain one in the future which would be parked in the rear.

6. There is no opposition of record to the application.

CONCLUSIONS OF LAW:

Based upon the above findings of fact, and the evidence of record, the Board finds that the proposed change of non-conforming use will not be objectionable to the neighborhood. The subject premises are to be rehabilitated and will not adversely affect the present character or future development of the neighborhood. There will be no noise, traffic or other deleterious effects generated by the proposed use and adequate parking is provided on the premises. The proposed use is permitted in the C-1 zone which is the most restrictive district in which the present use is permitted. The Board concludes that the change of non-conforming use may be granted with no adverse affect on neighboring property and in harmony with the general purpose of the Zoning Regulations.

ORDERED: IT IS HEREBY ORDERED THAT THE ABOVE APPLICATION BE, GRANTED.

VOTE: 4-0, (Samuel Scrivener, Jr., not voting after 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:

September 16, 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 HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.