

Before the Board of Zoning Adjustment, D. C.

Application No. 12093, of Ellis Floyd, pursuant to Section 8207.11 of the Zoning Regulations, for a variance from the use provisions of the R-4 District to establish a Dental Laboratory at 310 - 13th Street, N. E., Lot 22, Square 1009.

HEARING DATE: June 16, 1976

DECISION DATE: July 13, 1976

FINDINGS OF FACT:

1. The subject property is a two-story building on an alley corner, in an R-4 District. The prior C-1 non-conforming use was a restaurant and carry-out shop.
2. Applicant wishes to establish a dental laboratory on the first floor which has been renovated on the outside with bricks and iron gates.
3. The property has been vacant for three years and no attempt has been made to establish a new C-1 use.
4. The proposed laboratory will be operated by applicant's son, Lenard W. Floyd, who is qualified to operate a dental laboratory.
5. The laboratory will employ, four to five persons one of whom will drive to work and his car will be parked off-street on the premises. There will be no impact on available parking.
6. There is no opposition to the application.
7. There are letters from neighbors and dentists in favor of the application.

CONCLUSIONS OF LAW:

The Board finds that the record herein evidences that because of the extraordinary or exceptional situation or condition of this specific piece of property the strict application of the regulation under the Act would result in peculiar and exceptional practical difficulties to the owner of the property. The Board further finds that the relief sought can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zone Plan as embodied in the Zoning Regulations and Map. Accordingly, it is ORDERED that the application be GRANTED upon the following CONDITIONS:

- a. The owner of the property shall be an active participant in the operation of this dental laboratory.
- b. The permit issued shall carry CONDITION "a" on the permit.

VOTE:

3-2 (Ruby B. McZier, Esq., Leonard L. McCants, Esq. and William S. Harps to grant; Lilla Burt Cummings, Esq., and William F. McIntosh to deny)

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

ATTESTED By:



ARTHUR B. HATTON

Executive Secretary

FINAL DATE OF ORDER:

December 2, 1976

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.