

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12426 of Frank E. Smith, pursuant to Sub-section 8207.2 of the Zoning Regulations for special exception (Sub-section 7104.4) to change a non-conforming use from a barber shop first (1st) floor to real estate office first (1st) floor in the R-4 District at 317 K Street, N.E., Square 775, Lot 817.

HEARING DATE: June 15, 1977
DECISION DATE July 12, 1977

FINDINGS OF FACT:

1. The subject property is located in an R-4 Zone District at 317 K Street, N.E.
2. The property is presently improved by a semi-detached two-story building on a lot having dimensions of 17 feet by 70 feet.
3. The present use of the property is that of a barber shop as evidenced by Certificate of Occupancy B-96404, issued June 14, 1976.
4. The applicant proposes to change the present use of Barber Shop to that of real estate office.
5. The subject property is located at the southwest corner of 4th and K Streets, N.E.. The general development of the area consists of row house type structures three stories or less in height for both residential and commercial uses. The predominant neighborhood use is that of row houses.
6. Other uses in the vicinity include: a vacant church at the northeast corner and an annex of the Community Holiness Church at the southeast corner of 4th and K; a liquor store, Cooper Tire Store and parking lot for taxicabs on the north side of 3rd and K; and a large vacant structure proposed to be used by Hospitality House at 3rd and I Streets.

7. The proposed hours of operation are from 9:00 am to 5:00 p.m. Monday thru Saturday, with a total of five (5) employees.

8. The present non-conforming use is a barbershop, a Class II non-conforming use first permitted in a C-1 Zone District. The proposed real estate office use on the first floor is also a use first permitted in a C-1 Zone District. The application therefore meets the requirements of Sub-section 7104.2 of the Zoning Regulations. The proposed would be compatible to that of other uses in the vicinity and within 300 feet of the subject site.

9. In real estate business, it is usual practice for sales persons to meet customers at the property and not at the real estate office. This in effect reduces the number of customers on the subject site when compared to the previous use of a barber-shop.

10. The Municipal Planning Office by report dated June 22, 1977 recommended approval of this application, and testified that it met the requirements of Sections 7104.2, 6101.51 and 7109.12 of the Zoning Regulations.

11. There are several letters in support of the application.

12. There was no opposition to the granting of this application.

CONCLUSION OF LAW AND OPINION:

Based on the foregoing Findings of Fact the evidence of record the Board is of the opinion that the applicant has satisfied the requirements of the Zoning Regulations. The Board concludes that the change of non-conforming use from that of a barbershop to a real estate office is a use which will not adversely affect the present character or future development of the neighborhood. The Board concludes that although this a commercial use being located in a residential district, its use meets the requirements of Paragraph 6101.51 of the Regulations for noise and vibration, emission of smoke, gas, fumes, dust, cinders, heat and glare. The Board further concludes that this proposed use is compatible with the general uses found in the area. It is therefore ORDERED that this application is hereby GRANTED.

VOTE: 4-0 (Walter B. Lewis, Charles Norris, Leonard L. McCants,
Esq., William F. McIntosh)

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

ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 19 AUG 1977

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 DEVELOP-
MENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF
THIS ORDER.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



CORRECTED ORDER

Application No. 12426, of Frank E. Smith, pursuant to Sub-section 8207.2 of the Zoning Regulations for special exception (Sub-section 7104.4) to change a non-conforming use from a barber shop first (1st) floor to real estate office first (1st) floor in the R-4 District at 337 K Street, N.E., (Square 775, Lot 817).

HEARING DATE: June 15, 1977
DECISION DATE: July 12, 1977

DISPOSITION: Application GRANTED by a vote of 4-0, (Walter B. Lewis, Charles R. Norris, Leonard L. McCants and William F. McIntosh to GRANT).

FINAL DATE OF ORDER: August 19, 1977

ORDER

The original Order in this case, dated August 19, 1977, listed the address of the property as 317 K Street, N.E. The application form as submitted lists the address as 317 K Street. However, the letter from the Chief of the Zoning Review Branch, Department of Housing Community Development, the report of the Municipal Planning Office, and the Baist Atlas (Volume II, Page 6) all show the proper address to be 337 K Street, N.E. As an Administrative matter, it is therefore ordered that the Order dated August 19, 1977 is hereby amended to state the correct address of the property as 337 K Street, N.E. In all other respects, the Order dated August 19, 1977 remains unchanged and in effect.

ATTESTED BY: _____

Steven E. Sher
STEVEN E. SHER
Executive Director

14 DEC 1977