

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12568, of William A. McNair, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the use provisions (Section 3104) to permit a litho arts and printing shop in the R-4 District on the first floor and basement of the premises at 1928 - 4th Street, N.E., (Square 3566, Lot 69).

HEARING DATE: February 15, 1978
DECISION DATE: March 1, 1978

FINDINGS OF FACT:

1. The subject property is located on the west side of 4th Street, N.E., between Todd Place and U Street and is in an R-4 District.
2. The frontage on 4th Street in this block is developed exclusively with row-houses similar to the subject premises.
3. On 4th Street to the south of the subject property, and south of Todd Place are neighborhood commercial uses such as a grocery store, a barber shop, etc. The commercial uses are located in a C-2-A District.
4. The block of row-houses in which the subject property is located is well maintained.
5. The applicant proposes to use the first floor and the basement of the subject row house for a litho arts and printing shop. The proposed use is intended to provide additional employment and retirement income to the applicant when he retires.
6. An art and printing shop is first permitted as a matter of right in a C-2-A zone provided it does not exceed 2,500 square feet in gross floor area.
7. The Municipal Planning Office, by report dated January 20, 1978, recommended that the application be denied on the grounds that the subject property does not have any exceptional or extraordinary physical conditions that would prevent or limit its use as intended by the provisions of the R-4 District in which the property is so located. The Board so finds.

8. At the public hearing, there was no testimony from witnesses either for or against the application, also, the record contained no letters in favor of or against the application.

9. Advisory Neighborhood Commission 5C filed no recommendation on the application.

CONCLUSIONS OF LAW:

The applicant seeks a use variance the granting of which requires the establishment of an extreme hardship stemming from the property itself. The Board concludes that no such hardship exists herein. The subject property can continue to be used for the residential purpose for which it is zoned. The Board concludes that to grant the variance would cause substantial detriment to the public good and would substantially impair the intent, purpose and integrity of the zone plan by negatively effecting the surrounding rowhouses. Accordingly, it is ORDERED that the application is DENIED.

VOTE: 4-0 (William F. McIntosh, Chloethiel Woodard Smith and Charles R. Norris to DENY, John G. Parsons to DENY by proxy, Leonard L. McCants not voting, not having heard the case).

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 21 MAR 1978