

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12763 of Vera L. Johncox, William H. T. Belt and Annie E. Chisholm, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Sub-section 7104.2 to change a non-conforming use from servicing and rental of television sets and radios to television and radio repairs, sales of used televisions and radios, Hi-Fi services and record sales in an R-4 District at the premises 4530 Georgia Avenue, N.W., (Square 2918, Lot 100).

HEARING DATE: December 13, 1978
DECISION DATE: January 10, 1979

FINDINGS OF FACT:

1. The subject property is located on the west side of Georgia Avenue, between Allison and Buchanan Streets, N.W. It is in an R-4 District.
2. The subject site is approximately 3,036 square feet in area and is improved with a one story, store-front brick building.
3. The subject building is immediately adjoined to the north by a neighborhood food store. A barber shop, dry cleaning establishment, three story apartment buildings and row dwellings are to the immediate south. Across from the site, on the opposite side of Georgia Avenue, are detached dwellings.
4. By BZA Order No. 8904, issued 11/8/66, the Board granted permission to this applicant to change a non-conforming use from a hand laundry to the present subject use.
5. The proposed use is a continuation of the present use plus the sales of used television sets and radio and sales of records.

6. The applicant will have three employees, most of whom will be from the applicant's family.

7. The hours of operation will be from 9:00 a.m. to 9:00 p.m., six days a week.

8. Under Sub-section 7104.2 the subject non-conforming use may be changed to a use which is permitted in the most restrictive district in which the existing non-conforming use is permitted.

9. Both the subject use and the proposed use are first permitted in a C-1 District. As hereinafter conditioned by the Board both are of the same use intensity.

10. The proposed use would be in the nature of a neighborhood faculty that would serve the surrounding area.

11. The Office of Planning and Development, by report dated December 8, 1978 recommended that the application be granted on the grounds that the use would appear to serve the surrounding neighborhood and it is not anticipated that the use would adversely affect the present character or future development of the neighborhood. The Board so finds.

12. There was no opposition to the application.

13. Advisory Neighborhood Commission - 4C filed no recommendation on the application.

CONCLUSIONS OF LAW:

Based on the record the Board concludes that the application has substantially complied with the requirements of Sub-section 7104.2 and that the application can be granted as in harmony with the general purpose and intent of the Zoning Regulations and maps and that it will not tend to affect adversely the use of neighboring property. Accordingly, it is ORDERED that the application is GRANTED SUBJECT to the CONDITION that there shall be no speakers or amplification equipment located on the exterior of the building.

VOTE: 5-0 (Charles R. Norris, William F. McIntosh, Chloethiel Woodard Smith, Ruby B. McZier and Leonard L. McCants to grant).

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

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

FINAL DATE OF ORDER: 16 FEB 1979

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.