

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12887 of Cafritz Company, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3105.43 to allow a beauty shop as an adjunct to the existing apartment house in an R-5-C District at the premises 3200 16th Street, N.W., (Square 2608, Lot 1039).

HEARING DATE: March 14, 1979

DECISION DATE: March 14, 1979 (Bench Decision)

FINDINGS OF FACT:

1. The subject site is located on the northwest corner of the intersection of 16th Street and Lamont Street, N.W. and is known as 3200 - 16th Street, N.W. It is in an R-5-C District.
2. The subject site is improved with an apartment house of 151 units known as the Majestic. The subject beauty shop is located on the first floor of the apartment house in an efficiency sized apartment unit.
3. There is no separate entrance to the beauty shop from the outside.
4. There is no sign on the outside of the apartment building advertising the beauty shop.
5. The applicant has operated the beauty shop since 1942. There are no official records that a Certificate of Occupancy was ever issued for the use. The applicant has been paying a license fee since 1942.
6. The applicant operates the beauty shop by herself. There are no other employees.
7. The shop operates from Monday to Friday between 9:00 a.m. and 4:00 p.m. by appointment only.
8. Most of the patrons of the beauty shop live in the Majestic Apartment House.
9. The applicant testified that the shop is not visible from the sidewalk except when the venetian blinds are open and then only the top of the dryers are visible.
10. The Office of Planning and Development, by report dated March 6, 1979, reported that the management of the subject apart-

ment house had received no complaints about the operation of the shop. It recommended that the application be approved on the grounds that it has no adverse affect on neighboring properties and that it is in harmony with the general purpose and intent of the Zoning Regulations. The Board so finds.

11. Advisory Neighborhood Commission 1E made no recommendation on the application.

12. There was no opposition to the application.

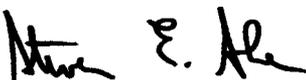
CONCLUSIONS OF LAW

Based on the record the Board concludes that the applicant has substantially complied with the requirements of Paragraph 3105.43 in that the beauty shop is limited to the main floor of the apartment house; there is no direct entrance to the shop from the outside of the building; the shop is mostly invisible from a sidewalk; there is no outside building sign advertising the shop; the shop basically serves the tenants of the apartment house and there are sufficient number of tenants to financially support this adjunct to the apartment building. The Board further concludes that since the shop has existed some thirty-seven years without interruption and without adverse affect on neighboring properties, that the relief can be granted as in harmony with the general purpose and intent of the Zoning Regulations. Accordingly, it is ORDERED that the application is GRANTED.

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

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER:

10 APR 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.