

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13176 of Helen Loftus and Frances Casey, 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 a billiard parlor, first floor, to an office of a plumbing business, first floor, in a C-1 District at the premises 4716 14th Street, N. W., (Square 2706, Lot 25).

HEARING DATE: February 20, 1980
DECISION DATE: April 2, 1980

FINDINGS OF FACT:

1. The subject property is located on the west side of 14th Street between Decatur Street to the north and Crittenden Street to the south. It is in a C-1 zone District at premises known as 4716 - 14th Street, N. W.

2. The subject site is currently developed with a one story brick row structure having a side walk display window. The property was last used as a billiard parlor pursuant to Certificate of Occupancy No. B-54867, dated January 12, 1966.

3. The applicant proposes to use the premises as the administrative office of a plumbing business.

4. The site is fifteen feet wide by ninety feet long. It consists of 1,350 square feet of land area, and is rectangular in shape.

5. The property is surrounded to the north by a variety of commercial uses offering neighborhood services such as a barber shop, toy store, restaurant, laundry mat, drug store/apartment and a carry-out, all in the C-1 District. To the east across 14th Street, which is a 110 foot right-of-way with two way traffic, is a Metro bus garage in the C-M-1 District. To the south is a restaurant, spiritual reader, hardware store, store front church, liquor store and roof repair shop all in the C-1 District. To the west is a fifteen foot wide public alley followed by a row of garages in the R-4 District.

6. Sub-section 7104.2 of the Zoning Regulations authorizes the Board to permit a change of non-conforming use provided the change is to a use which is permitted in the most restrictive district in which the existing non-conforming use is permitted.

7. A billiard parlor and a plumbing business, excluding outdoor storage are both first permitted in the C-2 zone District.

8. The applicant testified that no structural alterations are anticipated, and that the facility will not be used for storage, but rather as administrative offices only.

9. There is no space to park an automobile on the site. No parking is required for the proposed plumbing business, as there is a credit from the previous billiard parlor's use.

10. The proposed hours of operation are from 7:30 a.m. to 5:00 p.m. The applicant proposes a total of three employees.

11. The Office of Planning and Development by reports dated February 5, 1980 and March 3, 1980, as well as testimony at the public hearing, recommends approval of the application on the grounds that the proposed change of non-conforming use will not adversely affect the use of neighboring properties, and that the proposed use will be in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board so finds.

12. There was no report from ANC-4C on this application. There was no opposition to the granting of this application.

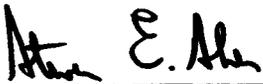
CONCLUSIONS OF LAW AND OPINION

Based on the foregoing Findings of Fact and the evidence of record, that Board concludes that the application complies with the requirements of Sub-section 7104.2. The proposed use is permitted in the most restrictive district in which the former use was permitted. The Board further concludes that the requested special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Map, and will not tend to affect adversely the use of neighboring property in accordance with said Regulations and Map. The Board is of the opinion that the requested change of non-conforming use represents an improvement. Accordingly, it is hereby ORDERED that this application is GRANTED.

VOTE: 4-0 (Walter B. Lewis, Charles R. Norris, Connie Fortune
and William F. McIntosh to grant; Leonard L. McCants
not voting, not having heard the case).

BY ORDER OF THE BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 27 MAY 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION
OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER
HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE
AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER
THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN
APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY
IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND
INSPECTIONS.