

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13230, of Fifth and G Street Restoration Co., Limited Partnership, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for special exceptions under Sub-section 7104.2 to change a non-conforming use from a retail furniture repair and reupholstery business, first floor; a restaurant seating less than fifty persons, second floor; an upholstery shop, third floor and a window display sales and service business, fourth floor to use the first floor of the subject premises as a restaurant and the second, third and fourth floors as general offices; under Sub-section 7105.2 to extend the non-conforming use to the cellar to be used as a restaurant and for variances to allow structural alterations to a non-conforming structure devoted to a non-conforming use (Paragraph 7106.121), and to allow an enlargement (lowering of cellar floor) of a structure devoted to a non-conforming use (Sub-section 7107.1) in an SP-2 District at the premises 501 G Street, N.W., also known as 501-9 G Street, N.W., (Square 486, Lot 800).

HEARING DATE: April 23, 1980

DECISION DATE: May 7, 1980

FINDINGS OF FACT:

1. The subject property is located at the northwest corner of the intersection of 5th and G Streets, N.W. and is known as 501 G Street, N.W. and 501-9 G Street, N.W. It is located in an SP-2 District.

2. The subject property is directly across the street from the Government Accounting Office building. The Pension Building is located diagonally across the street from the subject property. The subject property is located in the vicinity of Judiciary Square. The area is developed with mixed commercial and residential uses and parking lots. There are a number of commercial uses in the area such as a delicatessen and carry-out, a shoe repair shop and printing shop. The new Metro Headquarters building containing general offices occupies the block across the street to the south.

3. The subject site is eighty-five feet by 24.50 feet in size. It is rectangular in shape. To the west of the property is a 16.75 foot wide public alley.

4. The subject site is improved with a four story structure which occupies 100 percent of the lot and which was constructed in 1889. When initially erected it was a three story and cellar office and stores building. In 1890 a fourth floor was added with a slate and tin mansard roof element, embellished with decorative iron work and dormer window treatments, including a free-style central pavilion. The applicant's expert witness testified that the structure represents one of the few remaining commercial structures in the District of Columbia of the Second Empire or Mansard style. The building has been vacant since 1970.

5. On November 25, 1941, a Certificate of Occupant was issued for the use of the third floor as an upholstery shop. On January 6, 1947 a Certificate of Occupancy was issued for the use of the fourth floor as a window display sales and service business. On February 3, 1967 a Certificate of Occupancy was issued for the use of the first floor as a retail furniture repair and reupholstery business. On August 19, 1969 a Certificate of Occupancy was issued for the use of the second floor as a restaurant seating less than fifty persons. There was testimony that no residential use had ever existed on the property.

6. The applicant seeks special exceptions to change all four of the above non-conforming uses. The applicant proposes to use the first floor of the subject property as a restaurant and the second, third and fourth floors as general offices, and to extend the non-conforming use to the cellar to be used as a restaurant. The applicant also seeks variances to allow structural alterations to a non-conforming structure devoted to a non-conforming use and to allow an enlargement, a lowering of the cellar floor, of a structure devoted to a non-conforming use.

7. The last uses on the first, third and fourth floors are first permitted in a C-2 District. The last use of the second floor is first permitted in a C-1 District. The proposed uses are first permitted in a C-1 District. Under Sub-section 7104.2 if approved by the BZA a Class II 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.

8. The applicant has proposed that the building's facade will be restored to highlight its historically and architecturally significant features. The interior will be renovated while retaining the important historical elements such as the stairway bannister, the ceramic tile and tin ceiling located in the proposed dining area on the first floor. New signs and decor will reflect the building's late nineteenth century origins.

9. The applicant's architect testified that among the structural alterations to be done are correcting the water leakage through the roof level and the subsequent damage to the fourth, third and second floor joists through the water damage, installation of an elevator, increasing the depth of the cellar level from six feet by putting in a proper foundation and replacing the existing wooden inside stairway. The architect also testified that the mechanical and electrical systems were in an unsafe state of repair and would be replaced. The architect further testified that other than the roof and joist repairs and elevator installation all other alterations were not considered structural alterations since they had to be done to meet compliance with the building code.

10. The proposed lessee for the restaurant testified that the proposed use for the first floor and cellar is a stylish restaurant and bar whose decor will reflect the historical era in which the structure was built. The restaurant will have a total capacity of 128 seats, fifty-three on the first floor and forty-eight in the cellar. The bar area will provide twelve seats on the first floor and fifteen in the cellar. The restaurant proposes to be open seven days a week. From Sunday through Thursday the hours of operation will be from 7:30 a.m. to 12:00 a.m. On Friday, the hours will be from 7:30 a.m. to 3:00 a.m. On Saturday the hours will be from 12:00 a.m. to 3:00 a.m. The restaurant will employ approximately nineteen persons. Live entertainment will be provided in the cellar area after 7:00 p.m.

11. The applicant testified that it is required to provide five parking spaces. The building has a credit of three spaces. There are many parking lots in the immediate neighborhood and on-street parking is also available, particularly at night when the area is deserted. Two metro subway stations are within two blocks of the property. The applicant anticipates that its daytime customers will be mostly walk-in from the surrounding office buildings.

12. The applicant will lease the restaurant use. The lessee will have a five year lease with four five years extension. The minimum rental will be \$20,000.00 a year. The lessee will assume a portion of the renovation and capital improvement costs, and of taxes, insurance, maintenance and management costs. A percentage of the restaurant profits will inure to the lessor.

13. The applicant's project manager testified that the full use of the building including the basement is necessary to make the proposed renovation project financially viable. He further testified that because of the character of the neighborhood and the proposed rent including a portion of the renovation costs the building was not conducive to SP-2 office use such as non-profit organizations, international agencies, professional offices but rather for general offices. In his opinion, the proposed restaurant use of the first floor and cellar and the general office use on three floors would make the restoration feasible.

14. At the public hearing, the record was left open for the applicant to submit a detailed analysis of the expenses inherent in the purchase, restoration and maintenance of the subject property, the total expenses that the owner expects for operation of the property and a projected income schedule for the property. The income and expense statements were to include various option uses such as (a) a restaurant and three floors of general office use (b) a restaurant and three floors of SP uses (c) a general office use of five floors and no restaurant (d) SP uses for all five floors and (e) SP use with no cellar. The Board requested the applicant to submit a legal brief on the issue of the abandonment of a non-conforming use in the District of Columbia and whether the extension of the restaurant into the cellar is an area or use variance. The requested evidence was of record at the time the Board decided the application.

15. The Office of Planning and Development, by report dated April 22, 1980, recommended that the application be approved. It reported that the proposed change of non-conforming uses in the building will reduce the degree of non-conformity at the premises and will facilitate the restoration of an architecturally significant building. The extension of the non-conforming use to the cellar, i.e. the restaurant, will permit a more efficient use of the cellar. It will also increase the number of needed restaurant facilities in the area. It was the opinion of the Office of Planning and Development that the proposed change in the non-conforming uses and its extension to the cellar is not likely to adversely impact the neighborhood. The Board so finds as to the special exceptions requested.

16. By letter of May 2, 1980, the "Don't Tear It Down" citizens group recommended approval of the application. It stated that the organization supported this application for several reasons, including the owner's commitment to historic preservation. Also, the proposed restaurant facilities will contribute positively to the revitalization of Downtown, which Don't Tear It Down has long encouraged and supported. The restaurant will be open seven days a week with adequate operating hours and close proximity to public transportation, therefore serving both the office population and persons who will patronize the facility at night and on weekends. Also, the building is an excellent example of nineteenth century commercial architecture, worthy of the planned exterior and interior renovations.

Don't Tear It Down has never supported any application before the Board of Zoning Adjustment that would impact negatively on the character of a neighborhood. This proposal is one that can make only a positive contribution to the neighborhood and the city.

17. The Secretary to the Commission of Fine Arts, by letter of April 30, 1980, recommended that the application be granted. He stated that the building at 501 - 6th Street, N.W., fronting on Judiciary Square is in an area administered by the Commission of Fine Arts under the Shipstead-Luce Act. The building is an excellent example of the Victorian period and the Commission is delighted that it is going to be restored. The Commission understands, however, that the project may be abandoned if commercial use of the basement is not permitted. This building was originally built as a commercial office building and has always been used as such. Since all other structures facing the square on the west side are also office buildings, it would not appear to be inconsistent to extend this use to the basement of the existing structure, a factor which may very well be the difference between a good restoration of a worthy landmark and the wreckers ball. The plans for the building show great promise, maintaining a faithful adherence to the original details. The new restaurant on the ground floor will be an attractive addition to the neighborhood, an area totally bereft of any decent place to eat. The Secretary stated that the project in its proposed form would appear to be in the public interest in all respects.

18. There was no opposition to the application at the public hearing or of record.

19. Advisory Neighborhood Commission - 2C made no recommendation on the application.

CONCLUSIONS OF LAW AND OPINION:

Based on the record, the Board concludes that the applicant is seeking special exceptions and variances. The Board, to grant the special exception to change the non-conforming uses must conclude that the applicant has complied with the requirements of Sub-section 7104.2 and Section 7109 of the Zoning Regulations. The Board concludes that the applicant has met these tests, in that the proposed restaurant and general office uses are permitted in the most restrictive zone in which the uses permitted on the existing Certificate of Occupancy are permitted. A restaurant and office uses are first permitted as a matter-of-right in a C-1 District of the four uses currently permitted by the Certificate of Occupancy all but the restaurant use are first permitted in a C-2 District. A restaurant use is first permitted in a C-1 District. Thus the changes are consistent with the requirements of Sub-section 7104.2. The Board further concludes that the proposed restaurant use will be a neighborhood facility in that it will serve primarily the office population in the immediate neighborhood. The proposed restaurant use unlike the proposed office uses, does represent an intensification of the prior restaurant use because of the greater number of persons it proposes to serve but the Board concludes that the proposed restaurant use will not have significant negative effects, in that the noise, odor and waste coming from the building will be limited and that little automobile traffic will be generated since the primary uses of the restaurant will be neighborhood workers who will walk to the property or persons using the nearby metro line. The Board further notes the numerous parking lots available in the neighborhood at times when mass transit is less available.

As to the special exception for the extension of the restaurant use to the cellar the Board concludes that the extension can be permitted as it is part of the same structure where the present use is located and that no structural alterations, in this case the lowering of the cellar floor, will be made except those required by municipal law or regulations.

The Board further concludes that the proposed general office and restaurant uses will not have an adverse affect on surrounding and nearby properties and that the uses are consistent with the intent and purposes of the Zoning Regulations.

As to the variances requested by the applicant the Board concludes that these are area variances the granting of which requires the showing of a practical difficulty upon the owner of the property that stems from the property itself. The Board notes that the building occupies 100 per cent of the site and has done so since 1889.

The building was built for commercial use and appears never to have been used for a residential use. As such, it is not structurally suitable for residential uses. A significant aspect of the historic character of the subject building is that it is one of the few buildings of the Second Empire architectural style which has been built and used as a commercial structure. The Board is of the opinion that the applicant has submitted persuasive evidence that the subject building is economically feasible to restore and use only if the additional basement restaurant space is allowed. The extra income to be derived from the use of the cellar as an extension of the restaurant on the first floor is critical to the use and restoration of the structure. While the economic hardship above does not alone constitute the practical difficulty to support the area variance, the costs of conforming to the Zoning Regulations and the marketability of the building are relevant factors to be considered. In this case, the restoration and use of only four floors without the cellar increases the required rental in these floors above that which can be commanded on the market. The result is space that is unmarketable. For all these reasons, the Board concludes that the practical difficulty is inherent in the property and thus the variances for structural alterations and the enlargement (lowering the cellar floor) may be permitted. As noted above the enlargement is also allowed in compliance with the building code when the extension of the non-conforming use is permitted. The Board further concludes that the variances can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the special exceptions and variances are GRANTED in their entirety SUBJECT to the following CONDITIONS:

1. Renovations shall be in accordance with plans submitted to the Board as Exhibit 14 on March 7, 1980, and Exhibit 21 on April 18, 1980.
2. The nature of the uses permitted shall be in strict accordance with the uses outlined in the plans and other material included in this application.

VOTE: 5-0 (Walter B. Lewis, CHARLES R. NORRIS, Connie Fortune, William F. McIntosh 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: 15 JUL 1980

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.

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."

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



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DECISION DATE: May 7, 1980

FINDINGS OF FACT:

1. The subject property is located at the northwest corner of the intersection of 5th and G Streets, N.W. and is known as 501 G Street, N.W. and 501-9 G Street, N.W. It is located in an SP-2 District.
2. The subject property is directly across the street from the Government Accounting Office building. The Pension Building is located diagonally across the street from the subject property. The subject property is located in the vicinity of Judiciary Square. The area is developed with mixed commercial and residential uses and parking lots. There are a number of commercial uses in the area such as a delicatessen and carry-out, a shoe repair shop and printing shop. The new Metro Headquarters building containing general offices occupies the block across the street to the south.

3. The subject site is eighty-five feet by 24.50 feet in size. It is rectangular in shape. To the west of the property is a 16.75 foot wide public alley.

4. The subject site is improved with a four story structure which occupies 100 percent of the lot and which was constructed in 1889. When initially erected it was a three story and cellar office and stores building. In 1890 a fourth floor was added with a slate and tin mansard roof element, embellished with decorative iron work and dormer window treatments, including a free-style central pavilion. The applicant's expert witness testified that the structure represents one of the few remaining commercial structures in the District of Columbia of the Second Empire or Mansard style. The building has been vacant since 1970.

5. On November 25, 1941, a Certificate of Occupant was issued for the use of the third floor as an upholstery shop. On January 6, 1947 a Certificate of Occupancy was issued for the use of the fourth floor as a window display sales and service business. On February 3, 1967 a Certificate of Occupancy was issued for the use of the first floor as a retail furniture repair and reupholstery business. On August 19, 1969 a Certificate of Occupancy was issued for the use of the second floor as a restaurant seating less than fifty persons. There was testimony that no residential use had ever existed on the property.

6. The applicant seeks special exceptions to change all four of the above non-conforming uses. The applicant proposes to use the first floor of the subject property as a restaurant and the second, third and fourth floors as general offices, and to extend the non-conforming use to the cellar to be used as a restaurant. The applicant also seeks variances to allow structural alterations to a non-conforming structure devoted to a non-conforming use and to allow an enlargement, a lowering of the cellar floor, of a structure devoted to a non-conforming use.

7. The last uses on the first, third and fourth floors are first permitted in a C-2 District. The last use of the second floor is first permitted in a C-1 District. The proposed uses are first permitted in a C-1 District. Under Sub-section 7104.2 if approved by the BZA a Class II 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.

8. The applicant has proposed that the building's facade will be restored to highlight its historically and architecturally significant features. The interior will be renovated while retaining the important historical elements such as the stairway bannister, the ceramic tile and tin ceiling located in the proposed dining area on the first floor. New signs and decor will reflect the building's late nineteenth century origins.

9. The applicant's architect testified that among the structural alterations to be done are correcting the water leakage through the roof level and the subsequent damage to the fourth, third and second floor joists through the water damage, installation of an elevator, increasing the depth of the cellar level from six feet by putting in a proper foundation and replacing the existing wooden inside stairway. The architect also testified that the mechanical and electrical systems were in an unsafe state of repair and would be replaced. The architect further testified that other than the roof and joist repairs and elevator installation all other alterations were not considered structural alterations since they had to be done to meet compliance with the building code.

10. The proposed lessee for the restaurant testified that the proposed use for the first floor and cellar is a stylish restaurant and bar whose decor will reflect the historical era in which the structure was built. The restaurant will have a total capacity of 128 seats, fifty-three on the first floor and forty-eight in the cellar. The bar area will provide twelve seats on the first floor and fifteen in the cellar. The restaurant proposes to be open seven days a week. From Sunday through Thursday the hours of operation will be from 7:30 a.m. to 12:00 a.m. On Friday, the hours will be from 7:30 a.m. to 3:00 a.m. On Saturday the hours will be from 12:00 a.m. to 3:00 a.m. The restaurant will employ approximately nineteen persons. Live entertainment will be provided in the cellar area after 7:00 p.m.

11. The applicant testified that it is required to provide five parking spaces. The building has a credit of three spaces. There are many parking lots in the immediate neighborhood and on-street parking is also available, particularly at night when the area is deserted. Two metro subway stations are within two blocks of the property. The applicant anticipates that its daytime customers will be mostly walk-in from the surrounding office buildings.

12. The applicant will lease the restaurant use. The lessee will have a five year lease with four five years extension. The minimum rental will be \$20,000.00 a year. The lessee will assume a portion of the renovation and capital improvement costs, and of taxes, insurance, maintenance and management costs. A percentage of the restaurant profits will inure to the lessor.

13. The applicant's project manager testified that the full use of the building including the basement is necessary to make the proposed renovation project financially viable. He further testified that because of the character of the neighborhood and the proposed rent including a portion of the renovation costs the building was not conducive to SP-2 office use such as non-profit organizations, international agencies, professional offices but rather for general offices. In his opinion, the proposed restaurant use of the first floor and cellar and the general office use on three floors would make the restoration feasible.

14. At the public hearing, the record was left open for the applicant to submit a detailed analysis of the expenses inherent in the purchase, restoration and maintenance of the subject property, the total expenses that the owner expects for operation of the property and a projected income schedule for the property. The income and expense statements were to include various option uses such as (a) a restaurant and three floors of general office use (b) a restaurant and three floors of SP uses (c) a general office use of five floors and no restaurant (d) SP uses for all five floors and (e) SP use with no cellar. The Board requested the applicant to submit a legal brief on the issue of the abandonment of a non-conforming use in the District of Columbia and whether the extension of the restaurant into the cellar is an area or use variance. The requested evidence was of record at the time the Board decided the application.

15. The Office of Planning and Development, by report dated April 22, 1980, recommended that the application be approved. It reported that the proposed change of non-conforming uses in the building will reduce the degree of non-conformity at the premises and will facilitate the restoration of an architecturally significant building. The extension of the non-conforming use to the cellar, i.e. the restaurant, will permit a more efficient use of the cellar. It will also increase the number of needed restaurant facilities in the area. It was the opinion of the Office of Planning and Development that the proposed change in the non-conforming uses and its extension to the cellar is not likely to adversely impact the neighborhood. The Board so finds as to the special exceptions requested.

16. By letter of May 2, 1980, the "Don't Tear It Down" citizens group recommended approval of the application. It stated that the organization supported this application for several reasons, including the owner's commitment to historic preservation. Also, the proposed restaurant facilities will contribute positively to the revitalization of Downtown, which Don't Tear It Down has long encouraged and supported. The restaurant will be open seven days a week with adequate operating hours and close proximity to public transportation, therefore serving both the office population and persons who will patronize the facility at night and on weekends. Also, the building is an excellent example of nineteenth century commercial architecture, worthy of the planned exterior and interior renovations.

Don't Tear It Down has never supported any application before the Board of Zoning Adjustment that would impact negatively on the character of a neighborhood. This proposal is one that can make only a positive contribution to the neighborhood and the city.

17. The Secretary to the Commission of Fine Arts, by letter of April 30, 1980, recommended that the application be granted. He stated that the building at 501 - 6th Street, N.W., fronting on Judiciary Square is in an area administered by the Commission of Fine Arts under the Shipstead-Luce Act. The building is an excellent example of the Victorian period and the Commission is delighted that it is going to be restored. The Commission understands, however, that the project may be abandoned if commercial use of the basement is not permitted. This building was originally built as a commercial office building and has always been used as such. Since all other structures facing the square on the west side are also office buildings, it would not appear to be inconsistent to extend this use to the basement of the existing structure, a factor which may very well be the difference between a good restoration of a worthy landmark and the wreckers ball. The plans for the building show great promise, maintaining a faithful adherence to the original details. The new restaurant on the ground floor will be an attractive addition to the neighborhood, an area totally bereft of any decent place to eat. The Secretary stated that the project in its proposed form would appear to be in the public interest in all respects.

18. There was no opposition to the application at the public hearing or of record.

19. Advisory Neighborhood Commission - 2C made no recommendation on the application.

CONCLUSIONS OF LAW AND OPINION:

Based on the record, the Board concludes that the applicant is seeking special exceptions and variances. The Board, to grant the special exception to change the non-conforming uses must conclude that the applicant has complied with the requirements of Sub-section 7104.2 and Section 7109 of the Zoning Regulations. The Board concludes that the applicant has met these tests, in that the proposed restaurant and general office uses are permitted in the most restrictive zone in which the uses permitted on the existing Certificate of Occupancy are permitted. A restaurant and office uses are first permitted as a matter-of-right in a C-1 District Of the four uses currently permitted by the Certificate of Occupancy all but the restaurant use are first permitted in a C-2 District. A restaurant use is first permitted in a C-1 District. Thus the changes are consistent with the requirements of Sub-section 7104.2. The Board further concludes that the proposed restaurant use will be a neighborhood facility in that it will serve primarily the office population in the immediate neighborhood. The proposed restaurant use unlike the proposed office uses, does represent an intensification of the prior restaurant use because of the greater number of persons it proposes to serve but the Board concludes that the proposed restaurant use will not have significant negative effects, in that the noise, odor and waste coming from the building will be limited and that little automobile traffic will be generated since the primary uses of the restaurant will be neighborhood workers who will walk to the property or persons using the nearby metro line. The Board further notes the numerous parking lots available in the neighborhood at times when mass transit is less available.

As to the special exception for the extension of the restaurant use to the cellar the Board concludes that the extension can be permitted as it is part of the same structure where the present use is located and that no structural alterations, in this case the lowering of the cellar floor, will be made except those required by municipal law or regulations.

The Board further concludes that the proposed general office and restaurant uses will not have an adverse affect on surrounding and nearby properties and that the uses are consistent with the intent and purposes of the Zoning Regulations.

As to the variances requested by the applicant the Board concludes that these are area variances the granting of which requires the showing of a practical difficulty upon the owner of the property that stems from the property itself. The Board notes that the building occupies 100 per cent of the site and has done so since 1889.

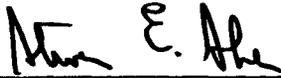
The building was built for commercial use and appears never to have been used for a residential use. As such, it is not structurally suitable for residential uses. A significant aspect of the historic character of the subject building is that it is one of the few buildings of the Second Empire architectural style which has been built and used as a commercial structure. The Board is of the opinion that the applicant has submitted persuasive evidence that the subject building is economically feasible to restore and use only if the additional basement restaurant space is allowed. The extra income to be derived from the use of the cellar as an extension of the restaurant on the first floor is critical to the use and restoration of the structure. While the economic hardship above does not alone constitute the practical difficulty to support the area variance, the costs of conforming to the Zoning Regulations and the marketability of the building are relevant factors to be considered. In this case, the restoration and use of only four floors without the cellar increases the required rental in these floors above that which can be commanded on the market. The result is space that is unmarketable. For all these reasons, the Board concludes that the practical difficulty is inherent in the property and thus the variances for structural alterations and the enlargement (lowering the cellar floor) may be permitted. As noted above the enlargement is also allowed in compliance with the building code when the extension of the non-conforming use is permitted. The Board further concludes that the variances can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the special exceptions and variances are GRANTED in their entirety SUBJECT to the following CONDITIONS:

1. Renovations shall be in accordance with plans submitted to the Board as Exhibit 14 on March 7, 1980, and Exhibit 21 on April 18, 1980.
2. The nature of the uses permitted shall be in strict accordance with the uses outlined in the plans and other material included in this application.

VOTE: 5-0 (Walter B. Lewis, Charles R. Norris, Connie Fortune, 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: _____

15 JUL 1980

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.

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."