

PUBLIC HEARING—Jan. 13, 1965

Appeal #8033 David Winakur, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on January 13, 1965:

ORDERED:

That the appeal to change a nonconforming use from a grocery store to a delicatessen at 601 E Street, S.E., lot 871, square 877, be denied.

From the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lot is located at the southeast corner of 6th and E Streets, S.E., is zoned R-4, and is located in the heart of a residential district extend for many blocks in all directions with the exception of Nation Park.

(2) The property is improved with a 20 x 40 foot two story brick building. Appellant will utilize the first floor as a delicatessen and use the three rooms upstairs for storage of materials incidental to the operation of the delicatessen.

(3) There was considerable opposition to the granting of this appeal registered at the public hearing by property owners in the immediate vicinity of this property. The Capitol Hill Restoration Society and the Capitol Hill Southeast Citizens Association also oppose the granting of this appeal. This objection was predicated upon the contention that a delicatessen at this location will attract undesirable persons; that it will tend to destroy the neighborhood which is on the upgrade; that carrying out of food will tend to litter the neighborhood, and that a delicatessen at this location will not provide a neighborhood facility.

OPINION:

We are of the opinion that a delicatessen at this location will tend to have an adverse impact on the surrounding residential neighborhood and will adversely affect the present character or future development of the neighborhood in accordance with these regulations and the Comprehensive Plan for the District of Columbia. Further, the general character of the immediate neighborhood is being upgraded and used residentially.

We are further of the opinion that the contention of the objectors is substantiated by the facts, and further, the granting of this use will tend to affect adversely the use of neighboring property in accordance with the zoning regulations and maps and will not be in harmony with the general purpose and intent of the zoning regulations and maps.