

PUBLIC HEARING--March 17, 1965

Appeal #8104 James A. Clay, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Mr. Harps dissenting, the following Order was entered on March 24, 1965:

ORDERED:

That the appeal to change a nonconforming use from a valet shop to a delicatessen at 1343 Constitution Avenue N. E., lot 57, square 1034, be conditionally granted.

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

(1) Appellant's lot has a frontage of 16.91 feet on Constitution Avenue, a depth of 80 feet and contains an area of 1353 square feet of land.

(2) The property is improved with a two-story building. Appellant will occupy the second floor as an apartment and conduct the proposed delicatessen on the first floor. Testimony adduced at the hearing indicated that the delicatessen will operate approximately 16 hours a day.

(3) There was no objection to the granting of this appeal registered at the public hearing.

Due to the location of this use in the heart of a residential district and the proposed hours of operation, the Board makes the following conditions:

- (a) Permit shall issue for a period of one year's trial, but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.
- (b) No gas or neon tube displays shall be located on the outside of the building, nor shall any such displays, if placed inside the building, be visible from the outside of the structure.