

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING—June 16, 1965

Appeal #8230 Amanda Stokely and Ernestin Reuder Este, appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on July 14, 1965:

ORDERED:

That the appeal to change a nonconforming use from a lunch room to an insurance office at 201 F St. N.E., lot 109, square 754, be conditionally granted.

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 2nd and F Streets, N.E., and has a frontage of 34.71 feet on F St. and 71 feet on 2nd Street, and contains an area of 2464 square feet of land.

(2) The property is improved with a one-story commercial type brick building which was formerly used as a lunch room.

(3) Appellant intends to use the building as an office to issue insurance stickers to the drivers of his cab company.

(4) Hours of operation will be from 11:00 a. m. to 6:00 p. m. Monday through Friday and from 8:00 a. m. to 9:00 p. m. on Saturday. The drivers will pick up their insurance stickers on Saturday and there is off-street parking on the premises so the drivers will not be occupying neighborhood parking space. Appellant states there will be no loitering around the premises. He further states that his business Monday through Friday will consist mostly of auditing his books.

(5) Appellant states that the premises will not be used for servicing or repairing taxicabs.

(6) There was one party in opposition who stated that the premises had been used for a conforming use and therefore has lost its nonconforming right. There was a petition filed in favor of the granting of this appeal.

OPINION:

We are of the opinion that the use of the building as proposed will not affect adversely the present character or future development of the neighborhood in accordance with these regulations and the Comprehensive Plan for the District of Columbia.

With respect to the property having lost its nonconforming rights, we are unable to find that the contention of this objector is supported by the facts as the records of the District of Columbia Government indicate that the last use was for a lunch room, and further, the type of building as depicted from the picture on file in our opinion could not well be used for residential use. We believe further that the business operation as proposed will be in harmony with the general purpose and intent of the Zoning Regulations and map.