

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING--November 17, 1965

Appeal #8465 Herman Daniels and A. Mahan, appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Messrs. Hatton and McIntosh dissenting, the following Order was entered on November 24, 1965:

ORDERED:

That the appeal for a variance from the use provisions of the R-4 District to permit structural alterations to nonconforming delicatessen at 1237 1st St. N.W., lot 800, square 618, be granted for the following reasons:

(1) From the records and the evidence adduced at the hearing, the Board is of the opinion that appellant has proven a case of hardship within the provisions of Section 8207.11 of the Zoning Regulations, as the extent of the structural alterations is removal and relocation of stairways to provide better storage space and easier access for his customers. There will be no enlargement of the building and no enlargement in the business and the second floor of the premises will be used as dressing area and toilet facilities for the delicatessen which has been in being since the business was first established. He will also provide for two windows on the front where none now exist.

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

Mr. Hatton: I am opposed of what amounts to an expansion and hardening of the nonconforming status of this building. Mr. McIntosh concurs with Mr. Hatton.