

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- May 18, 1966

Appeal No. 8671 Santille & V. D. Hoffman, appellants

The Zoning Administrator of the District of Columbia, appellee

On motion duly made, seconded and unanimously carried, the following Order was entered by the Board at its meeting on May 31, 1966.

EFFECTIVE DATE OF ORDER: June 16, 1966

ORDERED:

That the appeal for permission to change a nonconforming use from a real estate office and refrigeration and storage to a field office for Janitorial & Maintenance Supply Co. at 1797 Lanier Place, N.W., lot 358, square 2583 be denied.

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

- (1) Appellants' property is located in an R-5-B District
- (2) Appellants' case was originally scheduled to be heard at the April 13, 1966 public hearing but was continued upon request of counsel for appellant.
- (3) Appellants propose to operate an office for a janitorial maintenance business, known as Red Coats, Inc.
- (4) Red Coats would employ 50 to 60 people. About 20 of these employees would report to the office each day to pick up work orders and then proceed from the office to the job. The employees would only return to the office to pick up their pay.
- (5) The employees travel to the various jobs in their own cars, however, the company does operate some trucks. These trucks are parked in the vicinity of the office.
- (6) Although no occupancy permit has been obtained, Red Coats, Inc. was occupying the building at the time of the public hearing.
- (7) There was opposition to the granting of this appeal registered at the public hearing. Twenty persons who reside in the vicinity of the property appeared at the April, 1966 hearing. The record contains three letters expressing objections to the granting of this appeal and petitions in opposition containing 124 signatures. The Lambert Owners, Inc., and the Lanier Place Protective Assn. oppose the granting of this appeal.

OPINION:

The Board concludes that the appellants have not met the requirements of Section 7109 of the Zoning Regulations. That Section requires that the Board find that a nonconforming use is either a neighborhood facility or a use which will not be objectionable to the neighborhood.

From the evidence presented, there can be no conclusion that the Red Coats, Inc. is a neighborhood facility. Indeed, the evidence shows that the employees leave the neighborhood to carry out the work of the business.

Further, appellants have presented no evidence to enable the Board to find that such an activity in a residential neighborhood would not be objectionable. Since the Board is unable to find either of the statutory requirements for granting this appeal, the appeal is denied.