

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- February 15, 1967

Appeal No. 9099 Anita H. Eckles, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and carried with Messrs. William S. Harps and Arthur B. Hatton dissenting, the following Order was entered at the meeting of the Board on February 15, 1967.

ORDERED:

That the appeal for permission to change a nonconforming use from office and sales of new automobiles to office and sales of new automobiles on the first floor and office and storage of a Decorating Company in the basement or in the alternative a variance of the use provisions of the R-1-B to permit same at 2461 Wisconsin Avenue, NW., lot 959, square 1299, be denied.

FINDINGS OF FACT:

- (1) The subject property is located in an R-1-B District.
- (2) The property is located at the southeast corner of Wisconsin Avenue and Calvert Street, NW. and is improved with a two-story building erected in about 1958.
- (3) In BZA Appeal No. 8967 the Board, in an Order effective January 16, 1967, granted permission to change a nonconforming use from an office and sale of safes to an office and sale of new automobiles.
- (4) The first floor of the building is now used by the Bob White Buick Company for the sale of new automobiles. No change in this use is proposed.
- (5) A decorating company proposes to utilize the basement of the building for office and storage of paint, brushes, rollers, etc. No trucks would be kept at the premise.
- (6) No objection to the granting of this appeal was registered at the public hearing.

OPINION:

This appeal must be denied on both the proposed grounds. The appeal to extend the nonconforming use of the building is the only request given consideration. We think that the use of this structure for the storage of paint and other equipment connected with a decorating company is not a use which is compatible with this neighborhood. Although the building is now nonconforming, we feel that the offices and storage facilities for a decorating company should be in a commercially zoned district. There is little or no reason for permitting such a use in a residentially zoned district. Further, we cannot find that the proposed use will be a neighborhood facility or that it is designed to serve. The reason for this proposed use is purely justifiable on the basis of economic feasibility. We think that a more compatible nonconforming use can be found.