

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - September 18, 1968

Appeal No. 9713 and 9748 Suburban Trust Co., Trustee under the will of Linda B. Bull, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of September 27, 1968.

ORDERED:

That the appeal for variance from the use provisions of the C-1 District to permit repairing, refinishing, upholstering and selling of furniture in conjunction with trade school at 2100 Rhode Island Avenue, N.E., lot 804, Square 4219 and that the appeal for variance from the use provisions of the C-1 District to permit fabrication of slip covers and draperies at 2102 Rhode Island Avenue, N.E., lot 22, Square 4219, be denied.

FINDINGS OF FACT:

1. The subject property is located in a C-1 District.
2. The properties are improved with one story brick buildings. Two stores have been made into one. Each store is approximately 20 feet wide and one store is 80 feet long and the other approximately 40 feet long. Sheridan Furniture Corp. is the name of one store and Holober and Co., Inc. Custom Slip Cover is the other.
3. Appellant proposes to operate a slip cover and drapery shop under the name Holober Co. Additionally, appellant proposes to sell furniture at the subject site.
4. Sheridan Furniture is the name of the store where it is proposed to sell furniture. The tenant of the furniture premises has gone out of business. The present upholstery and drapery business has been established upon the premises for approximately four years.

5. The total square foot floor area of the combined stores is between 1,802 square feet. Appellant alleges that surrounding uses are comparable to that which he proposes. The subject premises contain two parking spaces in the rear, one of which could accommodate appellant's small delivery truck.

6. No opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that the subject appeal must be denied. Appellant has failed to show or prove a hardship as is required under Section 8207.11 of the Zoning Regulations. Further, we hold that to permit the requested relief would substantially impair the intent and integrity of the zone plan as embodied in the Zoning Regulations and have an adverse affect upon nearby and adjoining property presently and in future development. The tenant in Appeal No. 9713 has gone out of business and failed to prosecute this subject appeal. Therefore, Appeal No. 9713 is dismissed with prejudice. Appeal No. 9748 is denied for the reasons contained above.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:



By: _____

PATRICK E. KELLY
Secretary of the Board