DETAILED STATEMENT OF EXISTING AND INTENDED USE
963- 14TH STREET, S.E.
LOT 19 IN SQUARE 1046
BOARD OF ZONING ADJUSTMENT CASE NUMBER _____

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The subject property is located in the R-4 residential zone. The existing three story masonry structure was built in 1870 and is located at the corner of 14TH and K Streets, S.E.. The lot is 20.0' wide and is 90' deep and consists of 1800 square feet. The existing building does not cover the entire lot. Behind the exist ing fence which sits on top of the retaining wall on the K Street side of the building there is a yard (see builders plat). To the rear of the lot is a ten foot wide public alley. There is a detached accessory garage which is wide enough for two off street parking spaces. The garage entrance is on the K Street side of the building.

The second and third floors of the building are used as a (one) residential unit which is occupied by the applicant, Ms. Juanita Berry and her family. The first floor is currently vacant. Certificate of occupancy number A29410 was issued on December 22, 1954 for a retail grocery store on the first floor. Certificate of occupancy number B122138 was issued on September 22, 1980 for a retail grocery store on the first floor. The structure carries two distinct street addresses. The address of 963 14TH Street is the address of the first floor which previously was used as a retail store. The residential portion of the building uses the adress of 1398 K Street S.E.. According to neighborsthe retail grocery closed in 1996. The last business license on file at the Department of Consumer Affairs, the Business License Section, was issued in 1996 for the retail sale of cigarettes.

Ms. Berry purchased the property in March of 1999 and assumed that since there was a store front that she could use the first floor for retail use.She applied for a Small Business Administration loan to renovate and use the property for retail and service uses (a retail convience store on part of the first floor and a beauty salon on part of the first floor). SunTrust Bank asked Ms. Berry to apply for a business license. When Ms. Berry inquired about required business licenses she was told that she must apply for a Certificate of Occupancy first and get the Certificate Of Occupancy issued prior to applying for a business license.When Ms. Berry went to the Occupancy Branch and made application for the proposed uses the application was denied and she was told that pursuant to DCMR Title 11, the D.C. Zoning Regulations, Section 2005.1, that the use had been discontinued for more than three years. A denial letter was issued indicating that she would have to apply for a use variance from Section 330.5 the use provisions to reestablish the retail grocery store and to establish the beauty salon on the first floor (Section 3301.2).

Board of Zoning Adjustment
District of Columbia
CASE NO.16689
EXHIBIT NO.12

BZA
Case No. 16689
Exhibit No. 12

The applicant is seeking relief from the use provisions in order to sell pre-packaged food and nonperishable items such as sodas, canned milk, sugar, cookies, candy, cigarettes, etc. There will be no preparation of food and no fresh produce will not be sold on the premises. The applicant also seeks relief to establish a beauty salon on the first floor.

The applicant has practical difficulties in regards to the application which stem from the unique design of the existing structure In addition the applicant suffers an economic hardship because a commercial electric and utility rate is charged for the first floor. Also, renovation funds must be disbursed by April 4, 2001in order to renovate. The SBA approval process has been a lengthy process to get the loan approved and the funds cannot be disbursed without the use variance fromthe Board of Zoning Adjustment.

The applicant believes that the relief sought will not be detrimental to the public. Several residents within two hundred feet of the property have encouraged Ms. Berry to provide retail use on the first floor. There are two off street parking spaces in a detached garage and thre is enough room on the K Street side of the structure for three standard size parking spaces in public space.