GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

★ ★ ★

Office of the Director

TO: Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: December 4, 2001

SUBJECT: BZA Application 16801

BZA
Case No. 16801
Exhibit No. 28

APPLICATION

In this application, Martin E. Hardy, is requesting Board of Zoning Adjustment (BZA) approval of variances from the provisions of Sections 400.1 (allowable number of stories), 401.3 (minimum lot width), 403.2 (percentage of lot occupancy), and 404.1(minimum rear yard), pursuant to Section 3103.2 under Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning.

SUMMARY RECOMMENDATION

The Office of Planning recommends approval of variances:

- From Section 401.1 to allow new construction on the subject property;
- Increasing the allowable lot occupancy under Section 403.2 to 100%;
- Decreasing the minimum required rear yard under Section 404.1 to zero; and
- Reducing the on-site parking requirement under Section 2101.1 from one vehicle space to zero.

OP recommends denial of the requested variance to allow four floors instead of three. Note that a variance from the minimum width requirement appears not to be needed because this request involves an existing lot.

SITE AND AREA DESCRIPTION

The subject 995 square-foot property is a corner lot immediately northeast of the 10th Street intersection with Rhode Island Avenue, N.W. (refer to Exhibit 1). Lot 19 of Square 377 was previously developed with a three-story building destroyed by fire. All that remains are first floor masonry walls and turret on the eastern half, and foundations and retaining walls on the western half of the property. Foundation walls also extend into the public way at the western end. There is also an open cellar space approximately 8.5 feet below grade that extends across the property.

Staff was not able to determine when this building was originally constructed, however the property has been occupied by a number of uses since the 1950's: a nonconforming real estate office use in 1958 (noted on BZA Application No. 5218); beauty salon, "real estate and home improvement office uses" in 1963; beauty shop, grocery store and delicatessen in 1969; a "flat: 1 unit on the second floor and 1 unit on the third floor" in 1989; and a first floor barber shop in 1991 and 1996 (refer to Exhibits 3-8).

Board of Zoning Adjustment
District of Columbia
CASE NO.16801
EXHIBIT NO.28

Property to the north across Rhode Island Avenue, N.W., is occupied by the Shaw Elementary School recreation fields, and to the east across 10th Street, N.W. is the Seaton Elementary School site. Properties to the south and west are developed with two-story masonry row dwellings, and three- and four-story row dwellings, respectively. Adjacent dwellings are constructed to their side property lines, forming a solid masonry wall with no openings. There is an alley ten feet wide approximately 76 feet away along Rhode Island Avenue, but it does not allow access to the rear of the subject property.

The subject property and adjacent residences east of the referenced alley are zoned R-4. They are also located in the Shaw Historic District (refer to Exhibit 2). Properties west of the alley are zoned C-2-C.

APPLICANT'S PROPOSAL

Martin E. Hardy would like to demolish the remaining first floor walls, and construct a new flat on the existing foundation. "Sledmere House" would occupy the entire lot (and some public right-of-way) with one two-story dwelling atop another (a total of four floors) while retaining the cellar. No on site parking spaces would be provided and there would be no side or rear yard setbacks.

The applicant was assuming that the fire-ravaged structure could be rebuilt until the Department of Consumer & Regulatory Affairs (DCRA) notified him that this would not be allowed as a matter of right because an insufficient amount of the original building remains.

EXISTING ZONING AND RELIEF REQUESTED

The property is zoned R-4. This proposal would provide two independent dwellings within a single building.

Section 199.1 of the Zoning Regulations includes the following definition:

> "Flat - a two-family dwelling"

Based on this definition, the proposed building with two dwellings is considered a flat in the Zoning Regulations. Section 330.5 includes the following uses permitted as a matter of right in R-4:

> "(b) Flat."

Therefore, the proposed use is allowed on the subject property as a matter of right. The property and development are also subject to the following requirements.

Standard	R-4 Requirement	Existing Building	Proposed Construction	Required Relief
Lot Area	1,800	995 s.f.	Same	N/A
Lot Width	18	28 feet	Same	N/A
Floor Area	---	Vacant	3,980 s.f. [1]	N/A

[1] Based on four floors and 100% lot coverage. The cellar is not included.
[2] Based on the remaining foundations that actually extend into the public right-of-way.

Standard	R-4 Requirement	Existing Building	Proposed Construction	Required Relief
Floor Area Ratio	---	N/A	N/A	N/A
Height	40 feet/ three stories	N/A	40 feet/ four stories	Variance
Lot Occupancy (max.)	60% (flat)	100%[3]	100%	Variance
Rear Yard	20 feet	0[2] feet	0 feet	Variance
Side Yard	N/A	N/A	N/A	N/A
Height	40 feet	N/A	40 ft. (roof)	N/A
Parking	1 space/2 dwellings	None	1 space	Variance

Section 401.1 also states:

> "Except as provided in Chapters 20 through 25 of this title, in the case of a building located, on May 12, 1958, on a lot area or width of lot, or both, less than is prescribed in §401.3 for the district in which it is located, *the building may not be enlarged or replaced by a new building unless it complies with all other provisions of this title.*"

Staff thinks it is more appropriate to seek a variance from this provision rather than the minimum lot width requirement, since this request is the result of an existing lot that predates the current Zoning Regulations instead of a new lot created by subdivision.

Based on this information, the proposed development would require variances from Section 401.1, and from the height (number of floors), lot occupancy, rear yard and parking provisions of the Zoning Regulations.

In their Statement of Justification, the applicant noted that the lot configuration, size and "particularly, the absence of a rear yard" make it impossible to rebuild this structure. The result would be "an affront to the integrity of the L'Enfant plan of the city ... leav(ing) the lot incomplete, thereby destroying the architectural harmony of the block." This would also create a hardship because the applicant had been proceeding under the assumption that the remaining structure could be rebuilt. The statement notes that:

- There are a number of four story dwellings with cellars in the area;
- With the existing cellar 8.5 feet below grade, a four story building could be constructed within the height limit of 40 ft.; and
- The additional floor would "*improve* the economic feasibility of the project."

It also states that this request would not adversely impact or impair the "zone plan".

Besides the original application documents, the applicant provided photographs, schematic building floor plans and elevations.

[3] Based on the location of the foundation walls

ANALYSIS

Section 3103.2 grants the Board of Zoning Adjustment (BZA) the power to grant variances from regulations set forth under the Zoning Act "[w]here by reason of exceptional narrowness, shallowness or shape of a piece of property at the time of the original adoption of the regulations, or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under D.C. Code Ann. §§5-413 to 5-432 (1981) would result in peculiar and extraordinary practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship; Provided the relief can be granted without substantially impairing the intent, purpose and integrity of the zone map as embodied in the Zoning Regulations and Map."

The applicant is requesting variances from height, lot occupancy and rear yard provisions of the Zoning Regulations. These all constitute "area" variances, requiring that the circumstances surrounding this request are "unique" and that the usual application of the referenced regulations would result in "peculiar and extraordinary practical difficulties."

The applicant is not requesting a variance from the referenced parking requirement (also an "area variance"). Application documents include a note stating the off-street parking spaces are not required as per Section 2117.9 (b) of the following:

> "2115.1 Except as otherwise provided in this section, a required automobile parking space shall be a minimum of nine feet (9 ft.) in width and nineteen feet (19 ft.) in length ...
>
> 2117.8 A driveway which provides access to required parking spaces shall meet the following standards: ...
>
> *(b) A driveway serving a one-family dwelling or flat or which otherwise serves only one parking space shall be not less than seven feet (7 ft.) in width; ...*
>
> (c) A driveway serving any use *other than a one-family dwelling or flat*, or which serves more than one (1) parking space shall be as follows:
>
> (1) Not less than twenty-five feet (25 ft.) from a street intersection as measured from the intersection of the curb line extended;
>
> (2) Not less than twelve feet (12 ft.) in width if designed for one-way circulation or fourteen feet (14 ft.) if designed for two-way circulation: and
>
> (3) Not more than twenty-five feet (25 ft.) in width.
>
> *(d) A driveway which provides access directly from a street to a row dwelling or a flat shall be a minimum of twenty-eight feet (28 ft.) from all adjacent driveways which provide access directly from a street to a row dwelling or a flat, as measured from the nearest edge of each such driveway opening.*
>
> 2117.9 Driveways and parking for row dwellings shall be governed by the following special provisions: ...
>
> *(b) In the case of a row dwelling located on a lot where there are as many as <u>three (3) row dwellings</u> located on that lot or <u>contiguous lots facing the same street</u>, where access to the required parking space is only available directly from a street and no*

> *alternative access is available through existing or proposed alleys or private driveways, and where the driveway dimensional requirements stipulated in §2117.8(d) cannot be met, the required parking spaces need not be provided; ..."*
> (italics and underlining added)

The corner location allows direct access to the property from 10th Street and Rhode Island Avenue, N.W. There are no driveways along either street and no access to the property from any rear alley. Based on this information, it appears possible to incorporate a first floor one-car garage accessed from 10th Street, N.W., by a driveway seven feet wide (this lot frontage is approximately 28 feet wide). If so, this project would not be exempt from the parking regulations and the applicant would also require a parking variance.

Compliance with Section 3103.2:
This property is an irregularly shaped lot that predates the current Zoning Regulations (it appears on a Sanborn Map circa 1928). Although it is not the smallest lot on the square, lot 19 has 45% less area than the minimum required in R-4. There is also no rear or side access to the property because adjacent lots are constructed to the shared boundaries. The applicant also plans to construct the new residential building atop the remaining foundation of the former mixed-use building. Based on this information, OP determined that this is a unique and exceptional situation.

New construction on this lot would not be allowed under Section 401.1. Providing adequate internal living spaces in a new residential building on such a small irregularly shaped lot appears to require maximum utilization of the site. It would be difficult to provide on-site parking on a fully developed property. In addition, this property is located in the Shaw Historic District. Any new construction would be subject to review by the State Historic Preservation Office and the Historic Preservation Review Board (HPRB). The Preservation Office indicated that it would not approve a garage entrance facing either street or a new curb cut for a driveway to a garage. Thus, no vehicular access could be provided from the street to any on-site parking.

As a result, meeting the referenced lot occupancy, rear yard and parking requirements, and the provisions of Section 401.1 of the Zoning Regulations, presents "peculiar and extraordinary practical difficulties". Staff determined that these variances could be granted in this case without impairing the intent, purpose and integrity of the zone map as embodied in the Zoning Regulations and Map.

The applicant did not provide adequate justification for increasing the number of allowable floors from three to four. Three floors would provide an approximate total gross floor area of 2,985 square feet. Note that one of the most recent uses on-site was a flat with dwellings on the second and third floor (apparently) above first floor commercial uses.

COMPREHENSIVE PLAN
The Generalized Land Use Map designates the subject property and surrounding area south of Rhode Island Avenue as "Moderate Density" residential, characterized by "row houses and garden apartments" as predominant uses.

Section 101.1, "Major Themes of the Comprehensive Plan" includes the following:

"(a) Stabilizing and improving the District's neighborhoods; ...
(c) Developing a living downtown; ...
(e) Respecting and improving the physical character of the District; ...
(g) Preserving the historic character of the District."

Under Section 707, the Built Environment objective strives to "strengthen and enhance the distinguishable physical qualities of the District." Policies in support of this goal objective include:

"(a) Strengthen and enhance the physical image and symbolic qualities of the District that establish its character as the Nation's Capital;
(b) Maintain and enhance the horizontal character of buildings within the District and retain and ... regulate the height of buildings in the District of Columbia, ... as the guiding design principle for protecting the skyline; ...
(e) Strengthen and enhance the design of the distinguishing physical qualities of neighborhoods; ..."

Ward 2 Objectives for Housing include:

"(a) Stimulate the production of new and rehabilitated housing to meet all levels of need and demand and to provide incentives for the types of housing needed at desired locations; ...
(d) Encourage home ownership ..."

COMMUNITY COMMENTS
This proposal was presented to the Community Development Subcommittee of Advisory Neighborhood Commission (ANC) 2F on November 28, 2001. Its approval recommendation will be considered by the full ANC at a meeting on December 5, 2001.

AGENCY COMMENTS
This application was referred to the District of Columbia Metropolitan Police Department, Fire Department, DCRA, Department of Public Works and the State Historic Preservation Officer. The first four agencies were specifically asked whether this proposal creates any health and safety concerns.

On January 25, 2001, the Historic Preservation Review Board (HPRB) reviewed a conceptual design for a new three-story residential building with a basement on this site. HPRB agreed with staff that "the conceptual design was consistent with the purposes of the preservation law," and directed the applicant to work with staff on specific design issues. HPRB has not seen the four-story proposal, however the State Historic Preservation Office did not express concern about increasing the number of stories from three to four within the 40-foot height limit.

To date no comments have been received from the other agencies.

RECOMMENDATION

OP recommends approval of variances:

- From Section 401.1 to allow new construction on the subject property;
- Increasing the allowable lot occupancy under Section 403.2 to 100%;
- Decreasing the minimum required rear yard under Section 404.1 to zero; and
- Reducing the on-site parking requirement under Section 2101.1 from one vehicle space to zero.

Staff recommends denial of the request to increase the allowable number of floors to four.

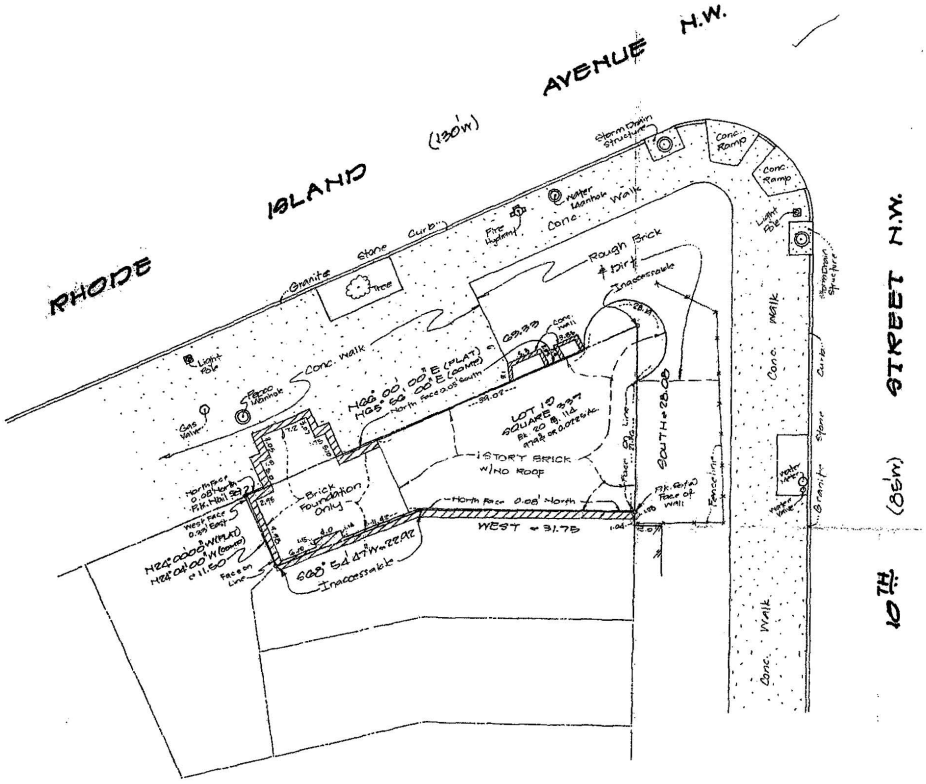
Attachments:

Exhibit 1 Property Plat
Exhibit 2 Property Aerial with Zoning
Exhibit 3 Minutes dated September 16, 1958 from a Board of Zoning Adjustment Public Hearing on Appeal No. 5218
Exhibit 4 Certificate of Occupancy No. B39671 dated May 17, 1963
Exhibit 5 Final Order dated December 21, 1970 for Board of Zoning Adjustment Application No. 10126
Exhibit 6 Certificate of Occupancy No. B157523 dated August 28, 1989
Exhibit 7 Certificate of Occupancy No. B160411 dated February 7, 1991
Exhibit 8 Certificate of Occupancy No. B174353 dated April 9, 1996

AA/afj

Exhibit 1

SCALE: 1" = 10'



LOT STAKE OUT, BUILDING AND IMPROVEMENTS LOCATION SURVEY

LOT 10
SQUARE 337
BOOK 20 PAGE 114

NORTHWEST, DISTRICT OF COLUMBIA.

DATE: 02-16-2001 | SCALE: 1" = 10' | SHEET 1 OF 1

SURVEYOR'S CERTIFICATES:

I hereby certify that the position of all the existing improvements on the above described property has been carefully established by a transit-tape survey and that unless otherwise shown, there are no visible encroachments.

Date: 2-16-01

I hereby certify that I have carefully surveyed the property as shown by this plat and iron pipe are in place as shown.

Date: 2-16-01

NO TITLE REPORT FURNISHED.
PLAT SUBJECT TO RESTRICTIONS & EASEMENTS OF RECORD OR OTHERWISE.

Wall Checks - The Building Code of the District of Columbia requires that before the walls of a building exceed one foot in height, a wall check survey must be performed by the Office of the Surveyor and a report submitted to the building inspector's offices of the Department of Consumer and Regulatory Affairs. The building inspector may require other wall checks as construction progresses. It is the builder's responsibility to order the wall check and to advise the Office of the Surveyor when it is needed.

W.L. MEEKINS, INC.
3101 RITCHIE ROAD
FORESTVILLE, MD. 20747-4434
PHONE
301-736-6387/5366/7115
FAX 301-736-5364
W.L. MEEKINS, LAND SURVEYOR
MD #2194 VA #576



Zoning Boundaries
Zoning Anno
Street Centerlines
Parks
Property Squares
River

1000 Rhode Island Avenue N.W.
Area Zoning

50 0 50 Feet

Mr. Scrivener:

I move that the following Order be entered:

ORDERED:

That the appeal of Ruth L. Fogel, et al. to change a nonconforming use from a real estate broker's office to a laundromat, with not more than 20 machines, at 1532 - 10th Street, N.W., lot 19, square 337, be denied for the following reasons:

(1) As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board finds that the new use will be more objectionable per se than its previous use as a real estate broker's office and therefore will affect adversely thepresent character and future development of the neighborhood in accordance with these regulations and the Comprehensive Plan for the District of Columbia.

(2) There was strenuous objection to the granting of this appeal registered at the public hearing by nearby residents. These persons objected on the grounds of increased traffic and noise and as a gathering place for teenagers. We find that these objections are substantiated by the facts. In making this finding the Board takes into consideration the fact that the operation is a twenty-four hour operation seven days a week in the midst of a highly congested residential area.

Mr. McIntosh: I second the motion. Motion carried with Mr. Clouser being absent.

form LI-P-601 .

FICATE OF OCCUPANCY

No. B-39671 Exhibit 4

Washington, D.C., MAY 17TH , 19 63

Permission is hereby granted to SILVERINE GIBSON

to use the FIRST floor(s) of the building located on Lot 19 Square 337

known as premises 1000 RHODE ISLAND AVE., N.W., (FORMERLY 1532 10TH ST., N.W.) for the following

purpose(s): BEAUTY SALON

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, ONLY for the premises, or part thereof, and for the purpose(s), indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE in the type of business, ownership of business, or part of premises used therefor, will render this Certificate VOID and a NEW Certificate must be obtained.

DEPT. OF LICENSES & INSPECTIONS, GOVT. OF DIST. OF COL.

ZONE R-4 FEE $ 10.00

Chief, Permit Branch

By Mary L. Lewis
Permit Clerk

OFFICE COPY

8080100

FORM L P 31
FEV. 12 17 62

APPLICATION FOR CERTIFICATE OF OCCUPANCY

002-30
2-19-63

FOR OFFICIAL USE ONLY
NEW CERTIFICATE NO.
B 396491

APPLICANT READ INSTRUCTIONS PRINT WITH BALL POINT PEN OR TYPE
SIGN WITH BALL POINT PEN PENALTIES ARE PROVIDED FOR MISREPRESENTATION

DATE OF APPLICATION: Feb-19-1963

DATE OF NEW CERTIFICATE: 5-17-63

NAME OF OWNER OF BUSINESS: Silverine Gibson

ADDRESS OF PROPOSED BUSINESS: 1000- Rhode Island Ave NW (Formerly 1532-10 St N.W)

LAST C.O. NO., DATE: B338429

BUILDING PERMIT NO.

LOT	SQUARE
19	337

PROPOSED USES (GIVE FLOOR NUMBERS FOR EACH USE): Beauty Salon of 1st. Floor

DWELLING UNITS	INCREASE	DECREASE	NEW TOTAL

TRADE NAME OF BUSINESS: Silverine Beautrette

REPLACES NO. & ; CANCEL FOR ☐ NO ENTRY ☐ OTHER

To the best of your knowledge is the building now condemned? No

SIGNATURE PERMIT CLERK: E Steel

ADDRESS OF OWNER OF BUSINESS
☐ OFFICE
☐ HOME 812-Otis Pl. N.W. Apt #3

TELEPHONE BUS OWNER: TU-2-2286

C O EXPIRES (DATE & ANY CONDITIONS)

MATERIAL OF BUILDING (BRICK, FRAME, ETC.)	BASEMENT IN BLDG. (PARTLY BELOW GRADE)	NO. STORIES ENTIRELY ABOVE GRADE
BRICK	ALL IN ☒ YES ☐ NO	3

BZA NO., DATE	ZONE CLASS
BZA 7106	R-4 Emer.

ZONING APPROVAL SIGNATURE: Feb 19, 1963

LAST APPROVED USE AND KIND OF LICENSE, IF ANY: Real Estate & Home Improvement Office

USE OF SPACE NOW: ☐ SAME AS LAST CERT OF OCCUPANCY ☐ SAME AS ABOVE PROPOSED USE ☒ OTHER

☐ CANCELLED ☐ APPROVED

SPECIFY BELOW HOW INSPECTORS ENTRY WILL BE ASSURED NO REFUND IF CANCELLED FOR NO ENTRY

SOMEONE ON PREMISES TO ADMIT INSPECTORS ☐ ALWAYS ☐ USUALLY ☐ SELDOM

P E R ☐ OCC BR ☐ ENF BR — DATE ISSUED: MAY 17 19

GIVE ALTERNATE NAME, ADDRESS & PHONE THROUGH WHICH INSPECTORS MAY GAIN ACCESS TO PREMISES: Tu-2-2286

DAYS OF WEEK & HOURS ENTRY GUARANTEED (WITHIN 9:00 4:30) MON (F) ✓

PERMIT OR FINAL SIGNATURE

☐ SPECIAL ☐ P E
☐ ALTERED OR CONV ☐ T R
☐ RETRO

NAME OF OWNER OF BUILDING: H.F. Morley. 1499 Irving St N.W.

ADDRESS OF OWNER OF BUILDING, AND TELEPHONE NO.: 1499 Irving St N.W. HU3-3334

SEND COPIES TO

	HIGHWAY 1	✓	OCCUPCY 2
✓	HEALTH 1	✓	CONSTR 2
✓	OC & PROT 1		ELEC 2
	FIRE MAR 1		HOUSING 2
	CORP DIV 1	✓	PLBG 2
	BR 1	✓	PERMIT 1
	[illegible] 1	✓	POLICE 1

IDENTIFICATION OF SIGNER OF APPLICATION

TELEPHONE NO.	ADDRESS, & (PRINTED) NAME	COMPANY TITLE
TU-2-2286	Silverine Gibson	OPERATOR

☐ OWNER OF PROPOSED BUSINESS IS NOT A CORPORATION NO ENTRIES BELOW SIGNATURE

OWNER INCORPORATED IN STATE OF

☐ OFFICER IS INCORPORATED IN THE DISTRICT OF COLUMBIA

SIGNATURE OWNER OF BUSINESS OR AUTHORIZED AGENT: Silverine Gibson

ZONING & OCCUPANCY INSPECTION BRANCH - HISTORY OF PROCESSING

TYPE OF ACTION	COMPLAINT NOTICE SENT	SECOND NOTICE SENT			REFERRED TO ENF BRANCH	CANCELLATION RECOMMENDED
DATE OF NOTICE OR OTHER FORM						
REQUESTED INSPECTION DATE					ENF BR WILL REQUEST	
RESULTS 1ST INSP	STATUS OF DEFICIENCIES (IF COMPLETED AFTER ABOVE REQUESTED INSPECTIONS)					OCCUPANCY
						CONSTRUCTION
						ELECTRICAL
						HOUSING
						PLUMBING

RECOMMENDED ACTION: ☐ CANCEL ☒ APPROVE

OCCUPANCY SIGNATURE: Leland H. Waigus-EHO

DATE: 5/15/63

INSPECTING ORGANIZATION - REPORT OF RECORD

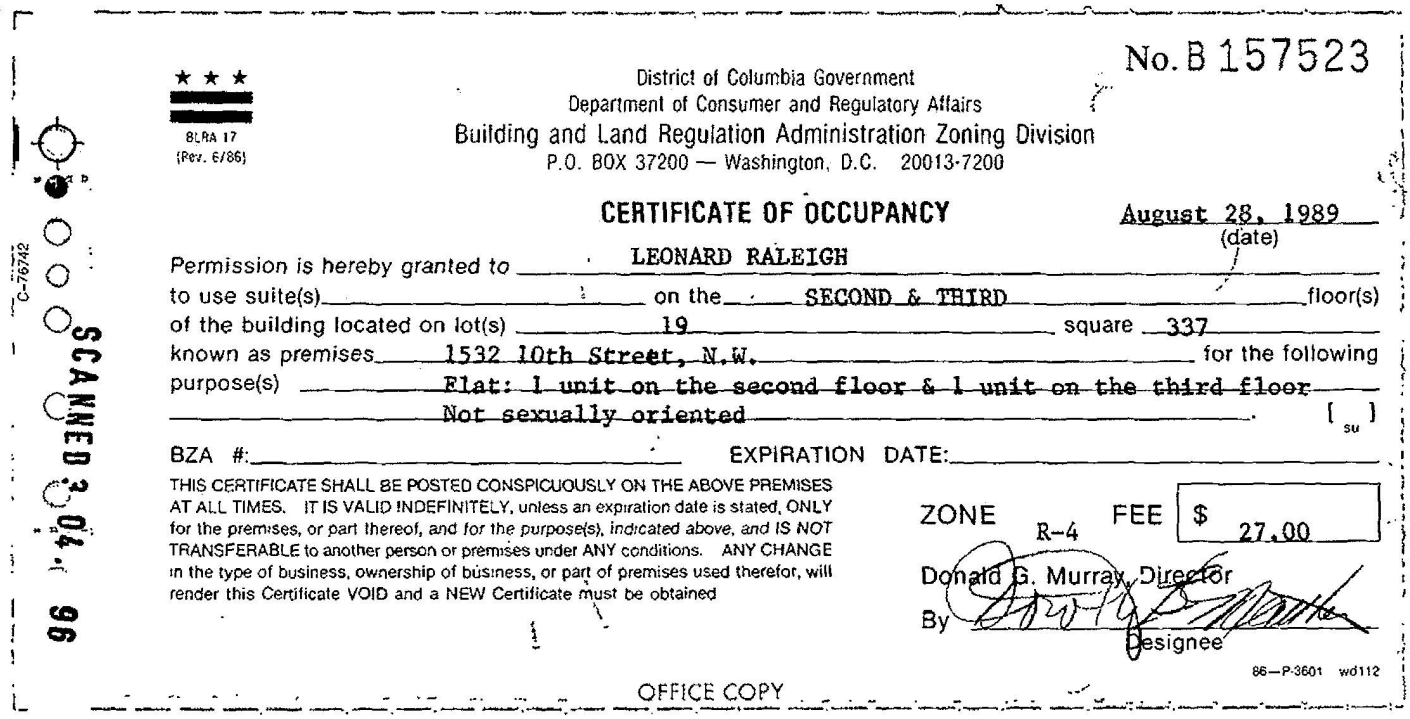
INSPECTOR	TERRITORY	DATE OF INSPECT

ACTION DATE	NO OF DEFICIENCIES
FIRST INSPECTION DATE	☐ NONE ☐ SEE BELOW
DEFICIENCY LIST DATE	NO OF ITEMS LISTED
PERMIT NO	
REINSPECTION DATE	WORK % COMPLETED
REPORTED - DATE	REPORTING OFF. BRC.

INSPECTION REPORT SIGNATURE

PERMIT BRANCH, DEPARTMENT OF LICENSES & INSPECTIONS. SUPPLEMENT TO U.P.(31), APPLICATION FOR CERTIFICATE OF OCCUPANCY)
ROOM 108, DISTRICT BUILDING, WASHINGTON 4, D.C.

Exhibit 5



BLRA 17
(Rev. 6/86)

District of Columbia Government
Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration Zoning Division
P.O. BOX 37200 — Washington, D.C. 20013-7200

No. B 157523

CERTIFICATE OF OCCUPANCY

August 28, 1989
(date)

Permission is hereby granted to LEONARD RALEIGH
to use suite(s) _____ on the SECOND & THIRD floor(s)
of the building located on lot(s) 19 square 337
known as premises 1532 10th Street, N.W. for the following
purpose(s) Flat: 1 unit on the second floor & 1 unit on the third floor
Not sexually oriented . [su]

BZA #: _____ EXPIRATION DATE: _____

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, ONLY for the premises, or part thereof, and for the purpose(s), indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE in the type of business, ownership of business, or part of premises used therefor, will render this Certificate VOID and a NEW Certificate must be obtained

ZONE R-4 FEE $ 27.00

Donald G. Murray, Director

By _____
Designee

86—P-3601 wd112

OFFICE COPY

C-76742

SCANNED 3.04.96

Exhibit 6

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - August 13, 1969

Appeal No. 10126 H. Morley, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried with the absence of Messrs. McIntosh and Scrivener, the following Order of the Board was entered at the meeting of August 19, 1969.

EFFECTIVE DATE OF ORDER - December 21, 1970

ORDERED:

That the appeal for permission to change a nonconforming use from a beauty shop to a beauty shop and grocery and delicatessen or in the alternative variance of the use provisions to permit same at 1000½ Rhode Island Avenue, N.W., lot 19, Square 337 be conditionally granted as amended.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.

2. The property is improved with an apartment building which has a beauty parlor on the first floor. Adjacent to the beauty parlor is a storage room which has been used as a newspaper distribution office.

3. The entire area, including the beauty shop and storage room operated under Certificate of Occupancy No. B-39671 issued May 17, 1963.

4. Appellant amends this appeal to use the storeroom portion of the premises for a grocery store and delicatessen. There is existing an entrance which is separate and apart from that of the beauty shop and the apartments located above.

5. The Redevelopment Land Agency offers no objection to the granting of this appeal.

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

OPINION:

We are of the opinion that this use will not have an adverse affect upon the present character and future development of the neighborhood and will not substantially impair the purpose, intent, or integrity of the Zoning Regulations and Map.

This Order shall be subject to the following condition:

(a) No neon or gas tube displays shall be located on the outside of the building nor shall any such displays, if placed inside the building, be visible from the outside.

The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.

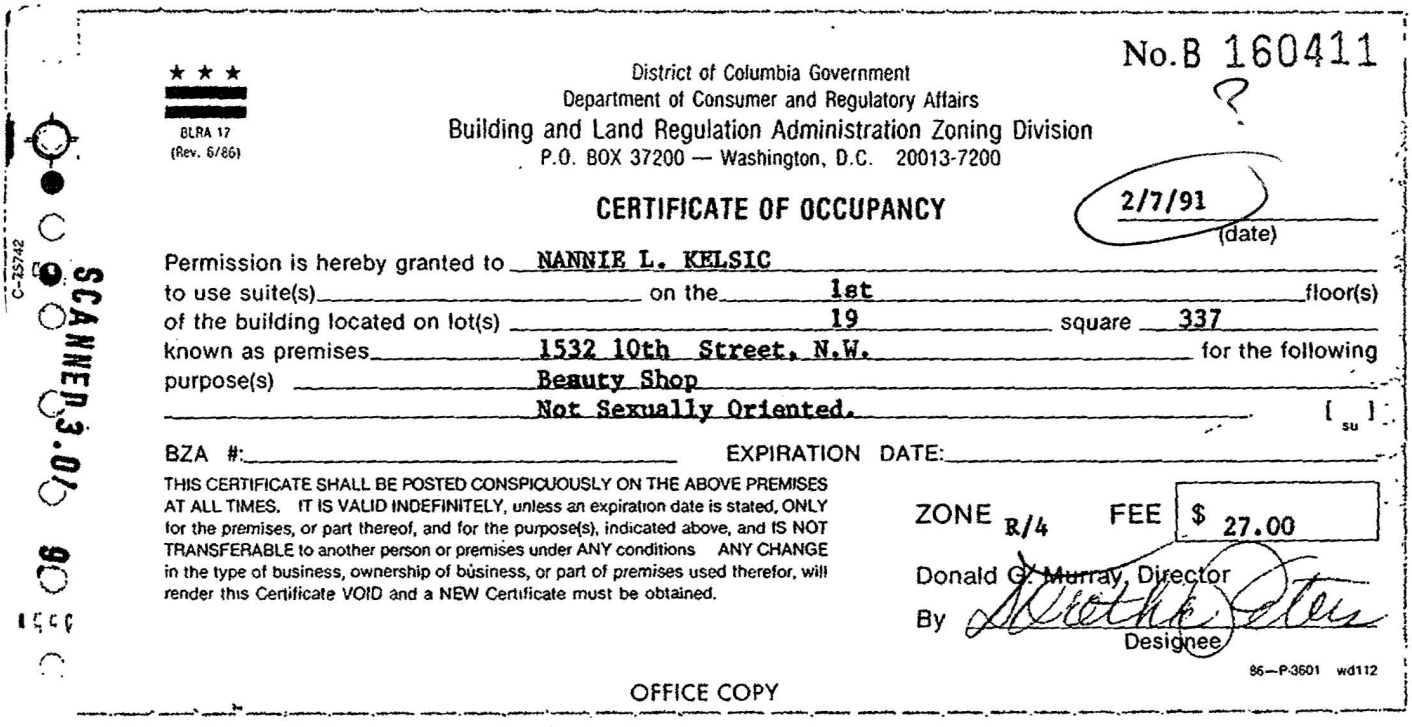
BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT:

ATTESTED:

By:_____
PATRICK E. KELLY
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

Exhibit 7



BLRA 17
(Rev. 6/86)

District of Columbia Government
Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration Zoning Division
P.O. BOX 37200 — Washington, D.C. 20013-7200

No.B 160411
?

CERTIFICATE OF OCCUPANCY

2/7/91 (date)

Permission is hereby granted to NANNIE L. KELSIC
to use suite(s) _____ on the 1st floor(s)
of the building located on lot(s) 19 square 337
known as premises 1532 10th Street, N.W. for the following
purpose(s) Beauty Shop
Not Sexually Oriented. [ ] su

BZA #: _____ EXPIRATION DATE: _____

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, ONLY for the premises, or part thereof, and for the purpose(s), indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions ANY CHANGE in the type of business, ownership of business, or part of premises used therefor, will render this Certificate VOID and a NEW Certificate must be obtained.

ZONE R/4 FEE $ 27.00

Donald G. Murray, Director
By _____
Designee

86—P-3601 wd112

OFFICE COPY

C-25742

SCANNED 3.01.90

Exhibit 8

BLRA-17
(Rev. 12/95)

District of Columbia Government
Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration Zoning Division
P.O. BOX 37200 — Washington, D.C. 20013-7200

No. B174353
2

CERTIFICATE OF OCCUPANCY

APRIL 9, 1996
(date)

Permission is hereby granted to CAMPBELL, HAZEL AND TWYMAN, INC.
to use suite(s) _____ on the GROUND floor(s)
of the building located on lot(s) 19 square 337
known as premises 1532 10TH STREET, N.W. for the following
purpose(s) BARBER SHOP
NOT SEXUALLY ORIENTED [SU]

BZA #: _____ EXPIRATION DATE: _____

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, ONLY for the premises, or part thereof, and for the purpose(s), indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE in the type of business, ownership of business, or part of premises used therefor, will render this Certificate VOID and a NEW Certificate must be obtained.

ZONE: R-4 FEE: $ 32.00

Hampton Cross, Director
By _____
Designee

dyer

OFFICE COPY

SCANNED 8.01.96