

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - August 13, 1969

Appeal No. 10129 Alfred Stidham, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with Messrs. Samuel Scrivener, Jr. and William F. McIntosh absent, the following Order of the Board was entered at the meeting on August 19, 1969.

EFFECTIVE DATE OF ORDER - Oct. 3, 1969

ORDERED:

That the appeal for variance from the rear yard requirements of the C-2-B District to permit erection of building for retail sales and installation of tires at 1328-30 - 14th Street, NW., Lot 855, Square 211, be granted.

FINDINGS OF FACT:

1. The subject property is located in a C-2-B District.
2. Appellant proposes to raze an existing commercial structure to erect a new six bay two-story structure for the retail sale and installation of automobile tires.
3. The total lot size measures 60.18 by 130.0 feet for a total of 7,823.40 square feet.
4. Appellant proposes to occupy 3,900 square feet or 50% of the entire site.
5. It is proposed that automobiles will enter from 14th Street and exit through the 10 foot public alley to the rear of the property.
6. It is requested that a variance be granted from the rear yard requirements of the subject zoning district in order to secure traffic control. Because of the location of the subject property, it would be necessary to have serviced autos back out into Rhode Island Avenue, or back up on the sidewalk, or back up into 14th Street thereby creating a very dangerous situation should the requested relief be denied.

Appeal No. 10129

Oct. 3, 1969

PAGE 2

7. Tires are to be delivered daily from the main warehouse and raised by conveyor to storage on the second floor.

8. Appellant additionally asserts that use of the space normally devoted to the rear yard will prevent litter and a hangout for unsavory activities by persons wishing to utilize some hidden alcove.

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

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

OPINION:

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

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

ATTESTED:

By: 
CHARLES E. MORGAN
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.