

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - October 14, 1970

Appeal No. 10530 D. J. Dunigan Inc. and Humble Oil and Refining Co., appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with Mr. Harps dissenting, the following Order of the Board was entered at the meeting of October 28, 1970.

EFFECTIVE DATE OF ORDER - March 4, 1971

ORDERED:

That the appeal for variance from the use provisions of the C-1 District to permit auto repairs in conjunction with a gas station at 5215 North Capitol Street, N.E., lot 14, Square 3698 be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in a C-1 District.
2. The subject property is improved with a four (4) bay eight (8) pump gasoline station.
3. Appellants propose to perform certain automobile repairs, such as installation of brakes, mufflers, etc. in conjunction with the existing gasoline station.
4. The Department of Highways and Traffic offered no objection to the granting of this appeal.
5. No opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that the granting of this appeal will not create any dangerous or other objectionable traffic conditions and that the requested relief can be granted without substantial

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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.

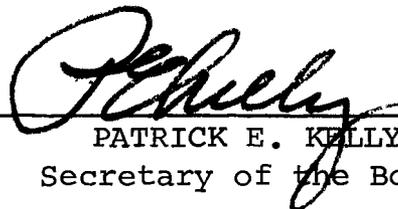
This Order shall be subject to the following conditions:

- a. Any lighting used to illuminate the gasoline station shall be so arranged that all direct rays of light are confined to the area of the site.
- b. No vehicular entrance or exit to the service station and no part of the service station itself shall be within 25 feet of a residential district.
- c. No entrance or exit drive walls shall be closer than 25 feet to a street intersection as measured from the intersection of the curb lines extended.
- d. All grease pits or hoists hereafter constructed or established as part of the gasoline service station shall be within a building.
- e. The coping shall be located on the property line and the inside driveway radii shall not be located within the sidewalk area.
- f. Permit shall not issue until all conditions of this Order are met and complied with and further, the Board reserves the right to direct revocation of the occupancy permit upon 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

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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.