

Before the Board of Zoning Adjustment, DC

PUBLIC HEARING - July 14, 1971

Appeal No. 10855 Humble Co. Charitable-Trustees, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with Smauel Scrivener, Jr., abstaining, the following Order of the Board was entered at the meeting of July 20, 1971.

ORDERED:

That the appeal for permission to re-establish gas station (sales only) and variance from the rear yard and the provisions Section 4101.45(a) at 513 E Street, N. W., lot 830, Square 488, be DENIED.

FINDINGS OF FACT:

1. The subject property is located in a S. P. district.
2. The property is presently used as a parking lot located at 513 E Street, N. W., lot 830, Square 488.
3. Appellant request permission to re-establish gas station (sales only) and variance from the rear yard and the provisions of Section 4101.45(a).
4. Objection was registered at the public hearing as to the granting of this appeal.

OPINION:

We are of the opinion that this appeal must be denied in that the appellant has failed to prove a hardship within the meaning of the variance clause of the Zoning Regulations.

Further, we hold that the requested relief cannot be granted without substantial detriment of the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Appeal No. 10855
July 27, 1971
Page 2

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

ATTESTED:

BY: _____

GEORGE A. GROGAN
Secretary of the Board