

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - October 13, 1971

Appeal No. 10944 Thompson Dairy Inc., appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with Mr. Hatton dissenting and Mr. Scrivener absent, the following Order of the Board was entered at the meeting of November 23, 1971.

EFFECTIVE DATE OF ORDER - February 29, 1972

ORDERED:

That the appeal for permission to establish auto repairs and variance to permit body and fender work at 2112-20 11th Street, N.W., lot 808, Square 303 be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in a C-2 District.
2. The property is improved with a one-story brick building.
3. Thompson Dairy has used the property in question for approximately forty years for repairs, body work, and painting of their cars and trucks.
4. No complaints from the neighbors have ever been registered during the forty years of Thompson Dairy's use of the property for a garage.
5. No record of an occupancy permit being issued from the District of Columbia can be found.
6. Appellant has gone out of business and desires to rent the premises to a local individual for the same type of use that they have used on the property.
7. The Department of Highways and Traffic offered no objection as to the granting of this appeal.
8. At the public hearing, no opposition was registered to the granting of this appeal.

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.

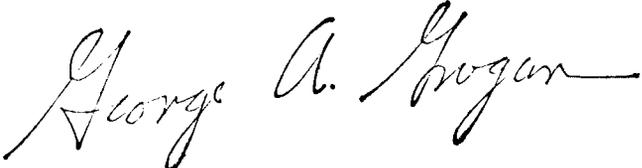
This Order shall be subject to the following condition:

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.

Any outdoor sign or other form of exterior advertising hereafter erected in any district shall comply with the "Regulations governing the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia.

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

ATTESTED:


By: _____
GEORGE A. GROGAN
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 DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.