

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- July 19, 1972

Application No. 11102 Solomon L. Margolis, appellant

On motion duly made, seconded and carried with a vote of 4-0, (Lilla Burt Cummings not having heard the case), the following Order of the Board was entered at the meeting of June 6, 1973.

EFFECTIVE DATE OF ORDER -- JUL 20 1973

ORDERED:

That the application of Key Automotive Parts Warehouse, Inc., for variance from the use provisions of the C-2-A District to permit wholesale and retail automotive sales with office space exceeding 2,500 square feet at 309-11 H Street, N.E., Lot 811, Square 777, be GRANTED.

FINDINGS OF FACT:

1. The subject property is located in a C-2-A District.
2. The property is improved with a two-story brick building which is used as a wholesale and retail automotive sales outlet, including office.
3. The property has been used as a wholesale and retail automotive sales outlet since approximately 1945.
4. The present applicant purchased the business approximately seven years ago but no valid occupancy permit existed for this use.
5. The building has approximately 4400 square feet. If he were denied the variance he would be unable to continue the business because of a lack of storage space.
6. Applicant needs a variance of 1900 square feet of floor area to maintain his current retail-wholesale outlet.
7. This application would not result in any enlargement of the building.
8. No opposition was registered.

OPINION:

The Board is of the opinion that this application should be granted. The applicant's business has existed in this area without incident for the past seven years. There was no opposition registered and we conclude that the continuation of this use will not be offensive to the immediate area.

We are of the Opinion that the applicant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and to deny 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:   
JAMES E. MILLER  
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS 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.

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