

Before the Board of Zoning Adjustment, D. C.

Application No. 11894 of John J. Toomey (Frank Jennings applicant), pursuant to Section 8207.2 of the Zoning Regulations for a special exception to permit the establishment of an Auto Repair Shop as provided by Section 5102.41 of the Zoning Regulations at the premises 1606-10 11th Street, N. W., in the C-2-A Zone, known as Lot 818, Square 309.

HEARING DATE: April 16, 1975

DECISION DATE: May 27, 1975

FINDINGS OF FACT:

1. The subject property is located in the C-2-A Zone which permits the proposed use as a special exception upon approval by the Board of Zoning Adjustment as provided by Section 5102.41 and 5103.41 of the regulations.

2. The structure, which would contain the proposed use, occupies 100% of the lot in question and was used as a place for storage of trucks.

3. Uses within 200' of the subject property are tax keeping services, funeral homes, service station, and Wheel and break repair services, liquor stores, cab company garage and a carburetor and ignition diagnostic center.

4. The applicant testified that no body or fender repairs would be made on the premises of the subject property.

5. Opposition was registered at the Public Hearing, testimony by the opposition indicated objections to this application on the grounds that the proposed use would deteriorate the neighborhood surrounding the subject property.

6. The Board finds that the proposed use is in harmony with the character of the neighborhood.

7. The proposed use would employ three mechanics who will work inside the subject property.

8. The gross floor area of the building is approximately 4,085 square feet.

9. The Board finds that because of the size of the structure in question, in relationship to the amount of and nature of the work done therein, that the proposed use would not disturb those using nearby and adjacent property.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact and the record, the Board is of the opinion that the above proposed use if granted, would not effect adversely the use of nearby and adjoining property. The character of the neighborhood in question is commercial as it is zoned, therefore, the Board concludes that the proposed use is in harmony with the regulations and maps.

ORDERED:

That the above application be and is hereby GRANTED.

VOTE:

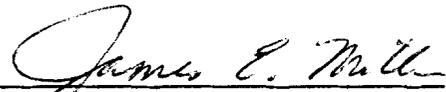
3-2 (Mr. McIntosh and Lilla Burt Cummings, Esq.
dissenting)

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

ATTESTED BY:



JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER:

7/8/75

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.