

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13063 of Georgia S. Demas, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 5102.41 to use the first floor of the subject premises as an automobile repair garage, no body or fender work in a C-2-A District at the premises rear 1020 Bladensburg Road, N.E., (Square 4074, Lot 827).

HEARING DATE: October 24, 1979
DECISION DATE: November 7, 1979

FINDINGS OF FACT:

1. The subject property is located in a C-2-A zone District on the west side of Bladensburg Road between K and L Streets, N.E. at premises known as 1020 Bladensburg Road, N.E.

2. The subject site is improved with a one story garage which is attached to an auto repair and supply store. To the rear of the structure is the intersection of two twenty foot public alleys.

3. The site is approximately 2,276 square feet in area, with access to the property approximately seventy five to 100 feet from the intersection of Oates Street and Bladensburg Road. Access to the proposed repair garage is via a twenty foot alley at the rear of the property which also separates this property from the R-4 zone District.

4. There is no entrance to the rear portion of the property from Bladensburg Road. The only entrance is at the rear of the property via the alley.

5. West of the north-south alley are the rear yards of apartment buildings which front on 16th Street, N.E. North of Florida Avenue is predominantly residential, but a number of non-conforming service and retail establishments are scattered throughout the area. Immediately south is a C-3-A zone district which encompasses Hechinger, Sears, and the surrounding H Street, Benning Road area. The R-4, R-5-B, C-2-B and C-M-1 zone districts are all found in the immediate vicinity.

6. The property is separated from the R-4 zone by a twenty foot alley to the rear.

7. There are a large number of automobile dealerships, auto supply stores and repair shops in the immediate vicinity and the Benning Road-H Street area serves as a major community business center.

8. Advisory Neighborhood Commission 5B made no report on this application.

9. The Office of Planning and Development by report dated October 19, 1979 and testimony given at the time of the public hearing, recommended conditional approval of the application on the grounds that the proposed facility meets all of the requirements of Sub-section 7403.1 of the Zoning Regulations, and that the proposed garage, if operated properly, is not likely to cause objectionable adverse impacts on nearby properties. The Board so finds.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing Findings of Fact and the evidence of record, the Board is of the opinion that the applicant has met the requirements of Sub-section 7403.1 of the Zoning Regulations. The Board concludes that the proposed garage will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to adversely affect the use of neighboring property in accordance with said Zoning Regulations and Maps. Accordingly, it is hereby ORDERED that this application is hereby GRANTED subject to the following CONDITIONS:

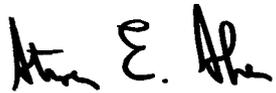
1. There shall be no body or fender work conducted on the premises.
2. No work shall be done before 7:00 a.m. or after 7:00 p.m.
3. Automobiles shall not be stored outside the premises, nor shall automobiles be parked in the adjacent alleys while in the custody of the operator of the garage.
4. Approval shall be for a period of TWO YEARS.

VOTE: 3-0 (Walter B. Lewis, Charles R. Norris, William F. McIntosh to grant; Leonard L. McCants not present, not voting; Chloethiel Woodard Smith not voting, not having heard the case).

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER:

19 FEB 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS AND INSPECTIONS.