

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA Application No. 13127, of Exxon Company, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 5101.41 to allow a proposed enlargement of a gasoline service station in a C-2-A and C-M-3 Districts at the premises No. 1 Florida Avenue, N.E. (Square 668, Lots 42, 43, 83, 84, 85, 89 and 804).

HEARING DATES: January 16 and December 17, 1980

DECISION DATES: April 2, 1980 and January 7, 1981

FINDINGS OF FACT:

1. By order, dated May 19, 1980, the Board granted special exception approval, pursuant to Sub-section 5102.41 of the Zoning Regulations, to permit enlargement of a gasoline service station located at the premises 1 Florida Avenue, N.E.

2. By letter, dated December 1, 1980, the applicant requested that the Board review modifications to the plans previously submitted with this application. As explained by the applicant, the reason for the modifications was to improve traffic circulation within the station to a greater degree than resulted from the plans approved by the Board.

3. Under the plans approved by the Board in its Order of May 19, 1980, the applicant proposed construction of a three bay service building, a kiosk, and four pump islands, two of which were parallel to North Capitol Street. The plans called for erection of a canopy over the pump islands and kiosk. The applicant also proposed new underground gasoline storage tanks, including one 10,000 gallon diesel fuel tank, one 10,000 gallon tank for regular grade gasoline, and one 8,000 gallon tank for unleaded gasoline and one 8,000 tank for premium gasoline.

4. Under the proposed revised plans, the applicant plans the realignment of the pump islands and the elimination of one pump island, as well as a redesign of the canopy and kiosk to conform with the new pump island layout.

5. As modified, the plans comply in all other respects with the Board's Order of May 19, 1980.

6. Other than the minor modifications described herein, the Board finds no changes in material facts since its approval of this application in its order of May 19, 1980. Accordingly, the Board readopts its Findings of Fact made in that earlier Order, except as those Findings of Fact are modified and supplemented by the Findings of Fact herein, and incorporates those Findings of Fact in this Order.

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 requirements of Paragraphs 5101.41 and 5102.41 have been met by the applicant. In accordance with Paragraph 5101.41, the site is not within twenty-five feet of a residential district, and all driveways are more than twenty-five feet from the intersection of North Capitol Street and Florida Avenue, N.E.

The Board further is of the opinion that the proposed modernization and modification will not result in any dangerous or otherwise objectionable traffic conditions since there will be four access points and the proposed modification to the previously approved plans will improve traffic circulation within the station. The Board also concludes that the granting of the requested special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to affect adversely the use of neighboring property in accordance with those Regulations and Map. Accordingly, it is therefore hereby ORDERED that the revised plans submitted by the applicant marked as Exhibit No. 32 of the record, are approved, and shall be substituted for those plans originally submitted to and approved by the Board. In all other respects, the previous approval and order shall remain in full force and effect.

VOTE: 4-0 (William F. McIntosh, Charles R. Norris, Douglas J. Patton and Connie Fortune to grant).

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

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EFFECTIVE DATE OF ORDER: 12 MAR 1981

UNDER SUBSECTION 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"