

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13127, of Exxon Co., 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 DATE: January 16, 1980  
DECISION DATE: April 2, 1980

FINDINGS OF FACT:

1. At the Public Hearing of January 16, 1980, the Board granted the applicant's motion to amend the application from one seeking a special exception under Paragraph 5101.41 of the Zoning Regulations to one seeking a special exception under Paragraph 5102.41 of the Zoning Regulations. The latter paragraph is the proper reference for a C-2-A District, and it also incorporates all of the standards of the former paragraph as well.

2. The subject site is located on the southeast corner of the intersection of Florida Avenue and North Capitol Street. It is known as No. 1 Florida Avenue, N.E. It is split-zoned C-2-A and C-M-3. Special exception approval under this application is required only for the portions of the site zoned C-2-A which consists of lots 42, 43 and 89. The total area of the site is approximately 22,377.50 square feet.

3. The site is currently improved with an existing gasoline service station established pursuant to the Order entered in BZA Application No. 5517, for which the date of Public Hearing was May 20, 1959. In BZA Application No. 7479, the Board approved the request to add two service bays.

4. The existing gasoline service station contains three service bays and three pump islands which contain six full service nozzles and seven self-service nozzles. Three underground storage tanks on the site have a total capacity of 20,000 gallons. The hours of operation are dictated by product availability. At the time of public hearing, the hours of operation were 7:00 A.M. to 6:00 P.M. It is proposed that the station could be open twenty-four hours a day.

- d. The application was referred to the D.C. Department of Transportation for review and report.
- e. The new canopy to be provided will be of a low profile design with indirect lighting which will not be visible outside of the area.
- f. One sign will be erected at the intersection of North Capitol Street and Florida Avenue which, together with the pole to which it will be attached, will be twenty-five feet in height.

10. The Office of Planning and Development by report, dated February 19, 1980, recommended approval of the application on the grounds that the lot has been occupied by a gasoline service station since the 1950's providing a necessary and convenient service to vehicular travelers at this busy intersection in the city. The OPD was of the opinion that the modernization and modification of the site will not tend to affect adversely the use of the neighboring properties or adversely impact the traffic flow on the surrounding streets. The proposal to continue the full service functions is also supportive of the city's goals and policies to encourage full service gasoline stations. The Board so finds.

11. There was no recommendation from Advisory Neighborhood Commission - 5C.

12. There was no opposition to the application at the public hearing. There were two letters in opposition to the application. The letters do not address any standards of the regulations which the Board must consider in deciding this application.

#### 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 of the Zoning Regulations 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.