

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13354, of Max Miller, Trustee, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 5102.41 for a proposed enlargement of an existing gasoline station to add a canopy in a C-2-A District at the premises 2502 Martin Luther King Jr., Avenue, S.E., (Square 5868, Lot 1043).

HEARING DATES: October 15 and December 10, 1980  
DECISION DATE: January 7, 1981

FINDINGS OF FACT:

1. The subject property is located on the northeast corner of the intersection of Martin Luther King Jr., Avenue and Sheridan Road, S.E.
2. The site is presently improved with a gasoline service station which was approved by this Board in Order No. 6419.
3. The applicant proposes the continuation of this service station, with the only change being that of the installation of a canopy over the gas service aisles to protect self-service customers during inclement weather.
4. The canopy is a free standing canopy of approximately twenty-nine feet by forty-nine feet that will fit over the two existing service aisles. It is approximately twenty-five feet high. It has lights from its ceilings to enable customers to see to pump their gas. There is a four foot overhang. The overhang is painted red with stripes around it. The canopy will rest on four steel posts. The canopy has its own drainage. It can withstand winds up to 100 miles per hour and snow of three feet in depth without any removal of the snow.
5. The applicant testified that the canopy would be sufficient in height to accommodate the service of large trucks. It would provide overhead lighting for the safety of night customers as it serves as a twenty-four hour facility.
6. The canopy will not obstruct the view of adjacent neighbors.

7. The application was referred to the Office of Planning and Development, by memorandum dated July 29, 1980.

8. Pursuant to Paragraph 5102.41, the Board may grant the requested special exception if the requested relief is in harmony with Sub-section 8207.2. The Board so finds.

9. There was no recommendation from Advisory Neighborhood Commission - 8A on this application.

10. There was no opposition to the granting of this application, either in the file or at the public hearing.

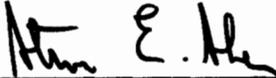
CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and the evidence of record, the Board is of the opinion that the applicant is seeking a special exception. The Board concludes that the application complies with the requirements of Paragraph 5102.41 of the Zoning Regulations, that the special exception can be granted as in harmony with the general purpose and intent of the Zoning Regulations and Map, and that approval will not tend to affect adversely the use of neighboring properties. It is therefore ORDERED that this application is hereby GRANTED.

VOTE: 5-0 (John G. Parsons, Charles R. Norris, William F. McIntosh and 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

FINAL DATE OF ORDER: \_\_\_\_\_

5 MAR 1981

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.