

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14562, of William G. Saunders, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Sub-section 5102.4 to use the premises, first floor and lot, as a repair facility for vehicles, no junk cars, in a C-2-A District at premises 5410 Georgia Avenue, N.W., (Square 2932, Lot 801).

HEARING DATE: February 18, 1987
DECISION DATE: March 4, 1987

FINDINGS OF FACT:

1. The site is located at the northwest corner of the intersection of Georgia Avenue and Jefferson Street, N.W. and is known as premises 5410 Georgia Avenue, N.W. It is zoned C-2-A.
2. The site is improved with a one-story building with three service bays. The site is located in a C-2-A commercial strip fronting on Georgia Avenue approximately twenty-five feet to the west of the site is an R-3 District.
3. The premises were previously used for a gasoline service station and auto repair garage. The property has been vacant for approximately two years.
4. The applicant proposes to use the premises as an auto repair garage only. The gasoline pumps and underground storage tanks have been removed.
5. The proposed operation will consist of general auto repairs such as tune-ups, brake repairs, oil changes and lubrication. There will be no transmission repair or body work performed at the subject premises. No vehicles will be stored on the premises overnight.
6. The proposed hours of operation will be from 8:00 A.M. to 5:30 P.M. Sunday thru Friday. The maximum number of employees will be three. The applicant expects to service approximately ten cars per day, including ambulances from the Silver Spring Ambulance Service. Access to the site will be via existing curb cuts on Georgia Avenue and the public alley.
7. There will be no exterior structural alterations to the existing building. The applicant proposes to install a

canopy in front of the building, change the advertisement on the existing lighted sign post, and add landscaping and paving. Trash is stored in a dumpster and removed weekly.

8. At the public hearing, the Chairperson waived the Rules to accept the report of the Office of Planning.

9. The Office of Planning, by memo dated February 18, 1987, recommended conditional approval of the application. The OP was of the opinion that the proposed facility, as conditioned, would not negatively impact adjacent or nearby property, and would not create dangerous or objectionable traffic conditions or other deleterious impacts. The OP recommended the following conditions:

- a. That the existing curb cut on the south side of Georgia Avenue be relocated at least twenty-five feet from the intersection of Georgia Avenue and Jefferson Street.
- b. That the applicant provide a three foot wide strip of landscaping along Georgia Avenue and Jefferson Street.
- c. That no lighting shall be directed toward surrounding streets or buildings.

10. Advisory Neighborhood Commission (ANC) 4C made no recommendation on the subject application.

11. There was no opposition to the application at the public hearing. There was one letter of opposition in the record based on characteristics of past operations at the site.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception. In order to be granted such relief, the applicant must demonstrate compliance with Sub-section 8207.2 and Paragraph 5102.41 of the Zoning Regulations. The Board concludes that the applicant has so complied. The Board further concludes that the proposed garage, as herein-after conditioned, can be granted as in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to adversely affect the use of neighboring property in accordance with said Zoning Regulations and Map. Accordingly, it is hereby ORDERED that the application is GRANTED SUBJECT to the following CONDITIONS:

1. Operation of the facility shall be limited to the applicant, William G. Saunders.

2. The number of vehicles serviced at the site shall not exceed the number of on-site parking spaces available excluding those used by employees.
3. The curb cut access from Jefferson Street shall comply with the requirements of Paragraph 7403.13 of the Zoning Regulations.
4. Any refuse dumpsters shall be housed in a three-sided brick enclosure equal in height to the dumpster or six feet, whichever is greater. The entrance to the enclosure shall include an opaque gate. The entrance shall not face a residence district.
5. The hours of operation shall not exceed from 8:00 A.M. to 5:30 P.M., Monday through Saturday and from 12:00 noon to 5:00 P.M. on Sunday. Repair of vehicles on Sunday shall be limited to service of vehicles belonging to Silver Spring Ambulance Service.
6. No vehicles shall be stored on the subject site overnight or during hours the facility is not in operation.
7. There shall be no neon or illuminated signs on the exterior of the premises.

VOTE: 4-0 (Lindsley Williams, William F. McIntosh, Paula L. Jewell and Carrie L. Thornhill to grant; Charles R. Norris not voting, not having heard the case).

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

ATTESTED BY:


EDWARD L. CURRY
Acting Executive Director

FINAL DATE OF ORDER: MAY 8 1987

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 CONSUMER AND REGULATORY AFFAIRS.

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