

PUBLIC HEARING—Sept. 30, 1964

Appeal #7930 Rose R. Galvagna, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on October 7, 1964:

ORDERED:

That the appeal for a variance from the use provisions of the R-4 District to permit establishment of auto repair shop at 1308 - 4th St. N.W. lot 870, square 512, be conditionally granted.

From the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's building was originally erected as a warehouse and has been utilized as storage of automobile bumpers, ceramic tile, then as a warehouse and also for storage of batteries. The building is located in the R-4 District and is therefore nonconforming.

(2) The operation will be limited in scope consisting of two employees, one being the operator of the business. Hours of operation will be from approximately 8:00 a. m. until 7:00 p. m. five days a week.

(3) Appellant performs minor repairs to automobiles and does not body or fender work.

(4) There was no objection to the granting of this appeal registered at the public hearing.

OPINION:

We are of the opinion that appellant has proven a hardship within the meaning of the variance clause of the regulations, and that a denial of this appeal will result in peculiar and exceptional practical difficulties to and exceptional and undue hardship upon the owner, as the property in question was erected for warehousing purposes and the operation, as stated in the finding of fact, will be limited in scope without any undue noise or confusion.

We are further of the opinion that this relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and maps. However, to further protect the surrounding residential area the Board makes the following condition:

- (a) There shall be no body or fender work performed on these premises.