

PUBLIC HEARING--Nov. 25, 1964

Appeal #8003 G. J. Coakley, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on December 1, 1964:

ORDERED:

That the appeal for a variance from the use provisions of the R-4 District to permit open storage on alley lot 47, square 2858, rear of premises 1013-15-19 Fairmont St. N.W., be denied.

As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lot, which is located on the interior of square 2858, has an area of 2875 square feet of land and is 57.5 x 50 feet in size. The entire square is zoned R-4.

(2) The perimeter of this square is improved and utilized residentially both as single-family homes and apartments.

(3) Appellant proposes to utilize this lot for storage of equipment for a plastering contractor which will be in the open. He will pick up materials for any particular job and will thereafter bring these materials back to be stored on the property. Employees in this operation will vary in number from four to fifteen. Appellant stated that the use of this lot will be spasmodic coming in and out at varying intervals.

(4) This appeal has been filed under the provisions of Section 8207.11 of the Zoning Regulations, as regulation requirements in the R-4 District stated that the Board may consider the storage of wares and goods on an alley lot only if such storage is located in a building containing not in excess of 2500 square feet of gross floor area.

(5) There was objection registered at the public hearing by approximately 100% of the persons residing within this square. This objection was predicated upon the contention that the use of this property for open storage of materials and equipment will create a nuisance; will facilitate harborage of rats and other rodents; will create an attractive nuisance to children in the area; will destroy the peace and quiet of the neighborhood, and will destroy the residential character of the block.

OPINION:

The Board is of the opinion that the use of this property for the storage of materials and equipment in the open will be objectionable in this residential square because of noise and other objectionable features of this type of operation. Further, the Board was unable to find and appellant was unable to prove that by reason of exceptional narrowness, shallowness, or shape of the specific property, or by reason of exceptional topographical or other extraordinary or exceptional situation or condition of the property, that the strict

application of the Zoning Regulations will result in peculiar and exceptional practical difficulties to or exceptional and undue hardship. The Board is also of the opinion that the contention of the objectors in this appeal are to a large degree substantiated by the facts.

In view of the above findings of fact the Board is of the opinion that the granting of this appeal would result in substantial detriment to the public good and would substantially impair the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and map.