

PUBLIC HEARING--April 14, 1965

Appeal #8143-44-45-46 Texaco, Inc., William A. Maio, Marvin and Minnie Berlin and Milton J. Thomas, appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Messrs. Scrivener and McIntosh dissenting, the following Order was entered on April 20, 1965:

ORDERED:

That the appeal to enlarge and rebuild gasoline service station at the northwest corner of Pennsylvania Avenue and 11th Street, 1014-16-18 Pennsylvania Avenue, S.E., lots 802, 23, 24 and 25, square 972, be conditionally granted.

~~As~~ 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 property will have a frontage of 122.67 feet on Pennsylvania Avenue, 110.67 feet on 11th Street and will extend back to the 15 foot wide public alley. The property contains an area of 9541 square feet of land.

(2) The property is now improved with a Texaco gasoline station on lot 802. Appellant has purchased three lots, namely, 23, 24 and 25 with frontage on Pennsylvania Avenue and will raze the existing station and erect a new station having two pumps, and two service bays and office in the building. There will be two driveways on 11th Street and two on Pennsylvania Avenue.

(3) Appellant contends that the enlargement of the site in question will provide better ingress and egress and will create no dangerous traffic conditions but, on the other hand, will improve traffic conditions by having more driveways and more area to maneuver.

(4) The Department of Highways and Traffic reports that experience with the existing facility as well as traffic volume counts, provides sufficient indication that the enlargement of this gasoline station should not have an adverse affect on traffic.

(5) There was objection to the granting of this appeal registered at the public hearing. Most of this opposition was to the effect that the granting of this appeal will not help beautify the Avenue; that there are already sufficient gasoline stations on Pennsylvania Avenue, and that it will create a nuisance in noise, confusion and heavier traffic extending on the adjacent residential streets which will lower property values.

OPINION:

It is the opinion of the majority of the Board that the erection of this new gasoline service station will not create dangerous or other objectionable traffic conditions. This contention is supported by the Department of Highways and Traffic.

The Board is also of the opinion that the contentions of those persons in opposition to the appeal are not substantiated by the facts as in our opinion the new station with a colonial type building will help beautify the Avenue

and should not create any noticeable increase in noise, traffic or other detrimental conditions.

In view of the above it is our further opinion that the granting of this appeal will be in harmony with the general purpose and intent of the Zoning Regulations and maps, and will not tend to affect adversely the use of neighboring property in accordance with said regulations and map.

This Order shall be subject to the following condition:

- (a) Appellant shall resubmit plans for a Colonial type building which plans shall require approval of the Director of Planning of the Zoning Commission prior to issuance of necessary permits.

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING—June 16, 1965

Rehearing of appeals #8143-44-45-46. Texaco, Inc., Wm. A. Maio, Marvin and Minnie Berlin and Milton J. Thomas, appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Messrs. McIntosh and Scrivener dissenting, the following Order was entered on June 22, 1965:

ORDERED:

That the rehearing of the appeals to enlarge and rebuild a gasoline service station at the northwest corner of Pennsylvania Avenue and 11th Street, 1014-16-18 Pennsylvania Avenue, S.E., lots 802, 23, 24 and 25, square 972, be granted conditionally:

(1) This appeal was heard on April 14, 1965 and conditionally granted by the Board on April 20, 1965.

(2) Thereafter the opposition to the appeal requested and was granted a rehearing of the appeal which was heard at public hearing on June 16, 1965. The Board again by a three to two vote on June 22, 1965 again granted the appeal.

(3) Inasmuch as no new evidence was submitted at the rehearing to change the Board's action, the Order in this appeal entered on April 20, 1965 is reaffirmed and the appeal is therefore conditionally granted.

This Order is subject to the following condition as set forth in its order of April 20, 1965:

- (a) Appellant shall resubmit plans for a Colonial type building which plans shall require approval of the Director of Planning of the Zoning Commission prior to issuance of necessary permits.