

PUBLIC HEARING. -Nov. 17, 1965

Appeal #8427 Eli Busada, et ux appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Messrs. McIntosh and Hatton dissenting, the following Order was entered on November 24, 1965:

ORDERED:

That the appeal to establish a gasoline service station adjoining 5008 Benning Road, N.E., lot 68, square 5340, be granted.

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 has a frontage of 129.99 feet on Benning ~~fr~~ Road and a depth of 125.05 feet is located in the C-1 District and contains an area in excess of 16,250 square feet.

(2) The site in question is located approximately 118 feet south of the intersection of H Street and Benning Road being between two stores.

(3) Appellant proposes to erect a three bay gasoline station with two service islands. He will provide a 25 foot wide approach and a 15 foot common access .

(4) The Department of Highways and Traffic offers no objection to the granting of this appeal stating that past usage of the existing driveways by store in the area provide sufficient indication that the establishment of this service station should not have an adverse effect on traffic.

(5) There was opposition to the granting of this appeal registered at the public hearing. The Benning Ridge Civic Association contends that the gasoline station would increase traffic, the non-existence of a pedestrian controlled light at the intersection makes the possibility of vehicle travel as well as pedestrian safety a problem; that the station would create additional neighborhood disturbances; that it would endanger children and adults and that there are sufficient stations in this area.

OPINION:

We are of the opinion that the establishment of this gasoline service station at this location will not create dangerous or other objectionable traffic conditions. We are further of the opinion that the contention of the objectors is not substantiated by the facts, the Board being of the opinion that this station will not create any serious increase in traffic nor become a hazard to life and limb.

In view of the above it is our further opinion that the granting of this exception 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 zoning regulations and maps.