

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- February 15, 1967

Appeal No. 9112 Pasquale F. Lentini et al, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on February 15, 1967.

EFFECTIVE DATE OF ORDER -- May 10,,1967

ORDERED:

That the appeal for a variance from the use provisions of the R-4 District to permit waxing of cars at rear of 642 and 644 Eye Street, NE., lot 866, square 857, be denied.

FINDINGS OF FACT:

- (1) The subject property is located in an R-4 District.
- (2) The property was inspected by the Board on February 13, 1967 and found to be located on a wide alley which is accessible by a narrow alley from Eye Street. The site is improved with a one-story garage building.
- (3) Appellant desires to lease the rear portion of the subject property -- the garage -- to a tenant who would use the property to wax automobiles.
- (4) The tenant would have a five (5) year lease and employ four persons.
- (5) The rear building was constructed in 1957 and has been previously used for bumper and boat storage.
- (6) The waxing concern would operate during the hours between 9:00 a.m. and 6:00 p.m., Monday through Friday.
- (7) There was considerable opposition from neighbors to the granting of this appeal. The record contains a petition in opposition signed by thirty-eight (38) residents of the area. The Near Northeast Citizens' Advisory Committee, the Near Northeast Community Improvement Corporation, and the Public Interest Civic Association oppose this appeal.

OPINION:

We are of the opinion that appellant has failed to prove a hardship within the meaning of the variance clause of the Zoning Regulations. It is the opinion of the Board that a use could be made of the subject property which would be more compatible with a residential district. An establishment for the waxing of automobiles is not a neighborhood use, but is a use that would be compatible with a light industrial area. Therefore, we conclude that the requested relief cannot be granted without being inconsistent with the zone plan as embodied in the Zoning Regulations and Maps. Further, the requested use would be detrimental to the public good and have an adverse affect upon nearby and adjoining property.