

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - July 12, 1967

Appeal No. 9279 Haignay Chorbajian, 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 July 19, 1967.

ORDERED:

That the appeal for permission to establish a gasoline service station at northwest corner of 3rd and Rittenhouse Streets, N.W., lots 61, 62, 809, Square 3287, be denied.

FINDINGS OF FACT:

1. The subject property is located in a C-1 District.
2. The subject property was rezoned by the Zoning Commission of the District of Columbia from R-2 to C-1 under Zoning Commission File 65-112.
3. It is proposed to erect a ranch-type style or a colonial-type style gasoline service station on the subject property.
4. The Department of Highways and Traffic offers no objection to the construction of this gasoline service station.
5. Opposition to the granting of this appeal was registered at the public hearing by Neighbors, Incorporated and the South Manor Neighborhood Civic Association. Various community members were heard in opposition to the proposal.
6. The record contains a petition signed by 152 residents of the area affected. Further, there is one (1) letter of opposition.

OPINION:

We are of the opinion that this appeal must be denied in that this proposal will have an adverse effect upon the present character and future development of the neighborhood and will substantially impair the intent, purpose and integrity of the Zoning Regulations and Map.

To permit the proposed gasoline service station would be to permit maximum impact upon the surrounding residential development. Further, in this case, the evidence does not indicate that the gasoline service station will accommodate a major portion of the existing commercial developments. Evidence submitted by the appellant indicates that commercial activity in the area has dwindled greatly. There is nothing from which we may conclude that the facility will serve the neighborhood in which it is located.

The C-1 District is to provide convenient retail and personal service establishments for day-to-day needs "With a minimum of impact upon surrounding residential development." This proposed station would be within a few feet of residential property, some developed with single-family homes. Such development would not be consistent with the purpose and intent of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:

  
CHARLES E. MORGAN  
Secretary of the Board