

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - March 19, 1969

Appeal No. 9918 Fairfax Village Addition, Inc., appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and carried, with Messrs. William S. Harps and Samuel Scrivener absent, the following Order was entered at the meeting of the Board on April 23, 1969.

EFFECTIVE DATE OF ORDER - May 20, 1969

ORDERED:

That the appeal for variance from the use provisions of the R-5-A District to permit trash chute from supermarket on lot 800 to existing garage at the rear of 3859 Pennsylvania Avenue, SE., lot 6, Square 5673 be conditionally granted as amended.

FINDINGS OF FACT:

1. The subject property is located in both an R-5-A and C-2-A District.
2. Lot 800 in the C-2-A District is improved with a brick structure which is currently used as a supermarket.
3. Lot 6 which measures approximately 19 x 20 ft. is improved with a garage structure.
4. There is presently a trash chute extended from Lot 800 into the roof of the garage on Lot 6.
5. Appellant amends this appeal to request to permit storage on Lot 6 which has its sole access from the public alley.
6. Appellant alleges that there is no space available on Lot 800 allowing for the storage for disposal of trash as required by the D.C. Health Department.
7. No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that this use will not have an adverse affect upon the present character and future development of the neighborhood and will not substantially impair the purpose, intent, or integrity of the Zoning REgulations and Map.

Further, we hold that the storage on this alley lot will not create dangerous or otherwise objectionable traffic conditions.

This Order shall be subject to the following conditions:

- a. No storage use authorized herein shall be located in a building containing more than 2,500 square feet of gross floor area.
- b. The hours of active operation in storing trash for disposal shall be so arranged as not to prove distrubing or otherwise objectionable to persons residing around the perimeter of the square in which the storage is located.
- c. The requested variance is denied. However, storage shall be permitted on Lot 6.

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

ATTESTED:

By: 
CHARLES E. MORGAN
Secretary of the Board

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.