

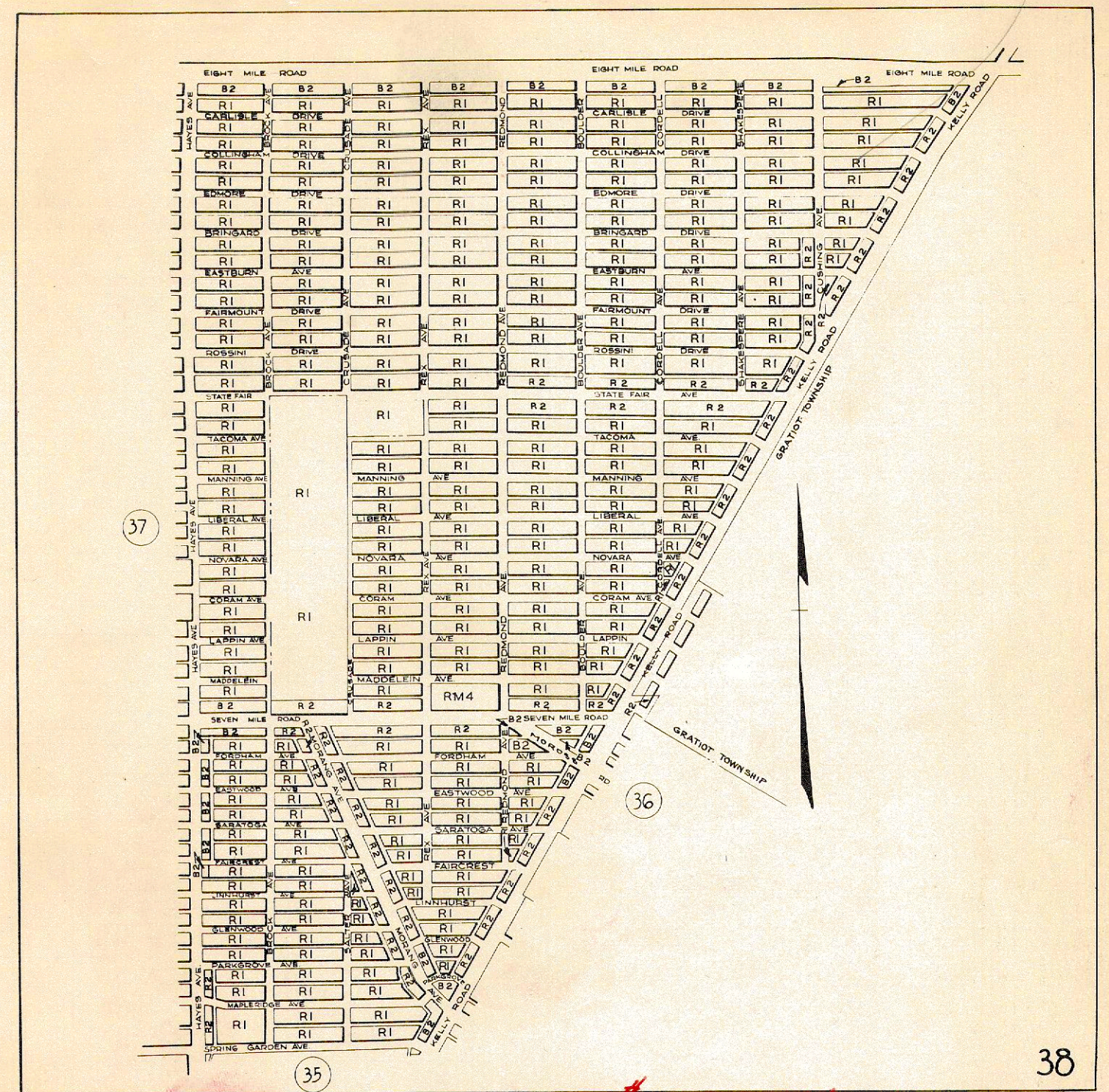
DISTRICT MAP 41

parcel of land which at the effective date of this Ordinance was of such size, shape or dimension, or which at the effective date of this Ordinance had such peculiar or exceptional geographical or topographical conditions, that it cannot be appropriately improved without such variation or modification, provided that the purpose and spirit of this Ordinance shall be observed, public safety secured, and substantial justice done.

(e) Permit a partial or complete exception to the loading space provisions of Section 3.16 where, after investigation by the Board, it is ascertained that the volume of vehicular service will not require compliance with said provision, and will not

cause undue interference with the public use of the streets or alleys or imperil the public safety and where such modification or exception will not be inconsistent with the purpose and spirit of this Ordinance.

(f) Permit an increase in height of a non-conforming building or structure existing at the effective date of this Ordinance, or an enlargement or extension of such a non-conforming building, structure or use upon land partially occupied by such existing non-conforming building, structure or use at the effective date of this Ordinance, subject to such conditions and protections as will safeguard the character of contiguous property and the sur-



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#### SEC. 20.7. HEARINGS AND POWERS

The Board shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the parties and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises, subject to the conditions and limitations of this Section, and to that end shall have all the powers of the officer from whom the appeal is taken. The decision of the Board in these and all other matters heard by it

shall be final insofar as it involves discretion or the finding of facts.

The Board shall have power to interpret the provisions of this Ordinance in such a way as to carry out the intent and purpose of the District Maps accompanying and made a part of this Ordinance where the street or alley layout actually on the ground varies from the layout as shown on said maps after notice and hearing to parties owning property involved in such interpretation.

The Board shall have the power to hear and decide appeals where it is alleged by the appellant that there is an error in any refusal of a building permit or certificate of occupancy, or other order, requirement or decision made by the Commissioner of Buildings and Safety Engineering or other administrative official

AMENDED TO ALLOW TEMP. M<sup>456</sup> USE IN B2 D

Amended by Ordinance #269D - Allowing Light Manufg & Day Nurseries as per amendment.