Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - November 12, 1969

Appeal No. 10111 Ledford Construction Company, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of November 18, 1969.

EFFECTIVE DATE OF ORDER - Dec. 8, 1969

ORDERED:

That the appeal for permission to establish a parking lot or accessory parking for an indefinite period at southside of Adams between 31st and 33rd Streets, NE., lot 804 and parts of lot 817 and 3, Square 4364, be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-1-B District.

2. The property is unimproved and is situated in the subject square which is in part zoned C-M-1 and in part R-1-B.

3. The appellant is principally engaged in underground conduit construction and has built and maintains its offices, shop and garage on a portion of the C-M-1 property; additional C-M-1 property owned by the appellant is paved and used for the parking of vehicles brought in for shop service and for vehicles used by the company in its day-to-day operations. A portion of Lot 817 is used for a caretaker's residence.

4. The present parking area in the C-M-1 area is enclosed by a seven foot high chain link fence with access driveways from Ames Place, NE.

5. Appellant proposes to clear, pave and screen Lot 804 and these portions of Lots 3 and 817 zoned R-1-B in order to establish a parking lot in connection with the parking lot already in use on the C-M-1 portion of Lots 3 and 817.

6. It is proposed to enclose the said area by erecting an eight foot high brick screening wall approximately 35 feet removed from the roadway. Additionally, plantings of shrubbery, ivy and hemlock trees are to be provided.

7. Appellant alleges that the R-1-B zoned property will not lend itself to residential development because of its proximity to the C-M-1 property and existing uses thereon.

8. Opposition to the granting of this appeal was registered at the public hearing by nearby property owners and the Gateway Community Association. The opposition is based on the following: [a] fear for the safety of children; [b] noise, [c] night repair made to vehicles; [d] smoke and fumes contributing to air pollution; [e] drag racing by truck drivers; and [f] the allegation that the establishment of the proposed parking lot will not supply any beneficial service to the neighborhood.

OPINION:

We are of the opinion that the establishment of this parking lot will not create any dangerous or otherwise objectionable traffic conditions, that the present character and future development of the neighborhood will not be adversely affected, and that the lot is reasonably necessary and convenient to other uses in the vicinity.

This Order shall be subject to the following conditions:

[a] Permit shall issue for a period of one year, but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.

[b] All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.

OPINION Cont'd:
(Conditions)

[c] An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.

[d] Bumper stops shall be erected and maintained for the protection of all adjoining buildings.

[e] No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.

[f] All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

[g] No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structures are otherwise permitted in the zoning district in which the parking lot is located.

[h] Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.

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

By: Charles E. Morgan
CHARLES E. MORGAN
Administrative Officer