

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - November 12, 1969

Appeal No. 10218 Golden Commissary Corporation, 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 - August 4, 1970

ORDERED:

That the appeal for permission to provide eight (8) required accessory parking spaces at 3030 M St., NW., Lot 856, Square 1197 to serve building located at 1054 - 31st St., NW., be granted conditionally.

FINDINGS OF FACT:

1. The subject property is located in a C-2 District.
 2. The subject property is currently an unimproved lot.
 3. Appellant proposes to provide eight (8) parking spaces to serve a commercial building at 1054 - 31st Street which includes a restaurant and theatre.
 4. After the October 15, 1969 public hearing, the Board of Zoning Adjustment in executive session on October 21, 1969 denied appellant's appeal.
 5. At the November 12, 1969 public hearing, appellant requested a rehearing which was granted.
 6. At the rehearing appellant stated that because nine (9) percent of it's space is being leased for retail use rather than office use, it would cause the parking lot to be delinquent eight (8) parking spaces in the building. Appellant also changed his request from Lot C to lot E on BZA Exhibit No. 16.
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7. The Department of Highways and Traffic offers no objection to the granting of this appeal.

8. Opposition to the granting of this appeal was registered at the public hearing of October 15, 1969.

9. No opposition to the granting of this appeal was registered at the rehearing on November 12, 1969.

OPINION:

We are of the opinion that the establishment of the eight (8) accessory parking spaces 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 additional spaces are reasonably necessary and convenient to other uses in the vicinity. However, the Certificate of Occupancy shall not issue until the conditions hereafter set forth in this Order are complied with.

This Order shall be subject to the following conditions:

- [a] All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- [b] An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- [c] Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- [d] No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- [e] 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.

[f] 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 is located.

[g] 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: _____



PATRICK E. KELLY
Secretary of the Board

THAT 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.