

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - May 13, 1970

Appeal No. 10408-10 Willard A. Staub, Kenneth M. Boswell et ux,  
and Mark Bowsher, appellants.

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  
May 19, 1970.

EFFECTIVE DATE OF ORDER - August 24, 1970

ORDERED:

That the appeal for permission to establish accessory  
parking at 650-54-56 Milwaukee Place, SE., Parcels 234/13,  
234/15, and 234/35, near Square 5982, to serve 2705 Nichols  
Avenue, SE., be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-5-A District.
2. The subject property is presently improved with a two  
story building.
3. Appellants propose to establish accessory parking to  
serve the McDonald's Restaurant at 2705 Nichols Avenue, SE.
4. Appellants alleged that they have thirty-three (33)  
existing off-street parking space, however, an additional  
twenty-four (24) spaces are necessary in order to improve  
traffic conditions and meet the public demands.
5. The Department of Highways and Traffic offered no  
objection to the granting of this appeal.
6. No opposition to the granting of this appeal was  
registered at the public hearing.

OPINION:

We are of the opinion that the establishment of accessory parking on the subject lots 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. 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] Appellant shall comply with the parking plans, BZA Exhibit No. 10, approved and noted by Arthur B. Hatton on May 19, 1970.
  - [b] Permit shall issue for a period of five years, 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.
  - [c] All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
  - [d] An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.
  - [e] Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
  - [f] No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
  - [g] 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.
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Appeal No. 10408-10  
August 24, 1970  
PAGE 3

[h] 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.

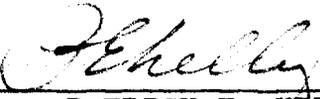
[i] Any lighting used illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

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.