

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- December 8, 1971

Appeal No. 10985 Bergmanns, Inc., 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 December 14, 1971.

EFFECTIVE DATE OF ORDER -- March 29, 1972

ORDERED:

That the appeal for permission to continue parking lot for five (5) years at 724-28 5th Street, N.W., lots 809, 810 in Square 486 be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an SP District.
2. The property is presently used for a parking lot for appellant's employees and appellant desires to continue operation for an additional five (5) years.
3. The appellant stated that no tract of any type will use the parking facility.
4. The Department of Highways and Traffic offers no objection to the granting of this special exception to continue the operation of this small parking lot for five (5) years as requested.
5. No opposition was registered at the public hearing as to the granting of this appeal.

OPINION:

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

This Order shall be subject to the following conditions:

1. Permit shall issue for a period of five (5) 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.

2. No trucks of any type may use the parking facility.

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

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

5. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.

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

7. 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.

8. 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 structure is otherwise permitted in the zoning district in which the parking lot is located.

9. 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. No Certificate of Occupancy shall be issued until all conditions of this Order are met and complied with.

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

ATTESTED:

By: _____

GEORGE A. GROGAN
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 DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.