

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- February 9, 1972

Appeal No. 11051 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 June 13, 1972.

EFFECTIVE DATE OF ORDER -- July 17, 1972

ORDERED:

That the appeal for permission to continue parking lot for five (5) years at Adams Street between 31st and 33rd Street, N.E., part of lots 3 and r, Square 4364 be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-1-B District.
2. The property is presently used as a parking lot per previous Appeal Nos. 10111 and 10613.
3. Appellant requests permission to continue use as parking lot for a period of five years.
4. The Department of Highways and Traffic offered no objection to the granting of this special exception to continue the use of this parking lot for five years.
5. Appellant stated that he has improved and beautified the property in question which formerly constituted a trash collection eyesore.
6. The Gateway Civic Association offered objection to the granting of this appeal. The objection was based upon the possibility of heavy duty trucks being brought back into the use on this lot.

OPINION:

The Board in the subject appeal has continuous jurisdiction to consider any complaint by the neighboring property owners.

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:

a. Permit shall issue for a period of one (1) 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.

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 structure is 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.

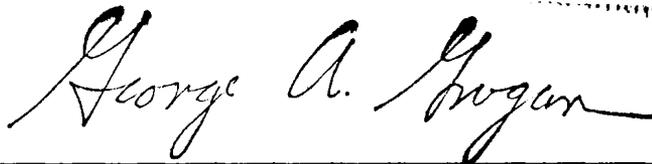
The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.

The Board is cognizant that its rules of procedure at the time of the hearing on this matter did not specifically provide for cross-examination but that there was no specific request for an opportunity to cross-examine made or denied. If any person participating in this proceeding believes that he has been prejudiced by the lack of an opportunity to cross-examine, the Board is disposed to entertain a motion to re-open this case to permit cross-examination. Specific reference to the transcript of proceedings will be helpful. Copies of the transcript are available for inspection by the public in the Offices of the Zoning Commission, District Building, Room 11A, 14th and E Streets, N.W. between 8:15 a.m. and 4:45 p.m. The motion should be forwarded to the Board in care of this address.

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.