

Before the Board of Zoning Adjustment, D. C.

Application No. 11399, of American Security Corporation, for a special exception, pursuant to Section 8207.2, for a parking lot on the R-2 portion of the lot as provided by Section 3101.411 at 5201 Wisconsin Avenue, N.W., Lot 9, Square 1665.

HEARING DATE: July 18, 1973

EXECUTIVE SESSION: October 3, 1973

FINDINGS OF FACT:

1. The subject accessory parking lot serves the American Security & Trust Company Branch Bank located at the northeast corner of Wisconsin Avenue and Harrison Streets, N.W. The major portion of the accessory parking is located in the C-3-A zoning districts as are the main bank facilities and the teller windows. Approximately six spaces of the 25 are located in the R-2 District.

2. The accessory parking area was originally approved by the Board in 1959 in B.Z.A. Appeal No. 5385.

3. In B.Z.A. Appeal No. 7614, entered March 3, 1964, the Board granted permission to continue the operation of the accessory parking lot for a period of five years.

4. Applicant will continue to maintain the 100 feet buffer required by the Board in 1959.

5. The Department of Highways and Traffic has reviewed this request and has no objection to the granting of the application.

6. There was no opposition registered at the public hearing.

CONCLUSIONS OF LAW:

Based upon the above findings the Board feels 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.

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ORDERED:

THAT THE APPLICATION BE CONDITIONALLY GRANTED FOR TWO (2) YEARS.

This Order shall be subject to the following conditions:

a. Permit shall issued for a period of two (2) 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.

b. All area 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 ana 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.

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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.

VOTE: 5-0, (Mr. Harps voting to GRANT, but dissenting to time limitation of the GRANT.) SEE ATTACHED OPINION.

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

ATTESTED BY: *James E. Miller*  
JAMES E. MILLER  
Assistant Secretary  
for the Board

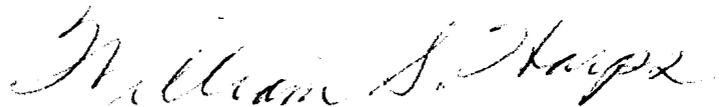
THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

FINAL DATE OF THIS ORDER: NOV 01 1973

MINORITY OPINION BY WILLIAM S. HARPS:

This Board Member agrees with his fellow Board Members with the exception that he can find no reason why the term of the exception could not be granted for a five (5) year period for the following reasons:

1. There was no opposition registered.
2. Based on the lack of opposition the parking lot has not adversely affected the neighborhood.
3. The Bank maintains a Buffer Zone, far wider, than any other Buffer Zone requested by the BZA for any other applicant.
4. Requiring the applicant to re-apply in two years is a waste of both the Boards time and the Banks time.
5. The Board retains continuing jurisdiction over this lot and can close it, for cause, upon complaint, at any time.



WILLIAM S. HARPS

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