

Before the Board of Zoning Adjustment

Application No. 11592 of Bakers Local Union No. 118, pursuant to Section 8207.2 of the Zoning Regulations, for a special exception to continue accessory parking on Lot 7 in the R-1-B Zone to serve office building on adjacent Lot 8 in a C-2-A Zone as provided by Section 3101.411, at 2706 Bladensburg Road, N. E., Lot 7, Square 4345.

HEARING DATE: March 20, 1974

EXECUTIVE SESSION: June 6, 1974

FINDINGS OF FACT:

1. The lot is located in a R-1-B Zone and is within 100 feet of the office building on Lot 8. The office building is in a C-2-A Zone.

2. This accessory parking lot for 15 automobiles was previously granted in November 1970 under BZA No. 10476.

3. In BZA Appeal 10476 the Board placed certain requirements upon applicant, namely a seven foot buffer with landscaping next to the abutting residential property on Lots 15 and 16, Square 4345 and a cedar fence shall be constructed on the easterly side of the buffer.

4. Applicant testified and the Board finds, that these conditions of the prior order have been met including all provisions of Article 74.

5. Applicant stated that at the rear of Lot 7 a masonry wall, approximately 42 inches in height and a five foot cedar fence along the eastern portion of the buffer has been erected.

6. Mrs. Juanita Morgan of 2705 30th Street, N. E., owner of abutting residential property (Lots 15 and 16) testified that the cedar fence was not erected properly and it projects less than two feet above the surface. Mrs. Morgan also stated that her house is sinking and the walls are cracking. No pictures or other evidence was submitted to support this statement.

7. The Board finds that the Department of Highways & Traffic offered no objection to the continuance of this lot.

8. A site inspection by the Zoning Activities Unit of the office of Planning and Management revealed that Lot 7 was constructed and is maintained in compliance with the provisions of the Board's Order 10476. It was recommended that approval be granted for five years.

9. Mr. Ahmed of the Zoning Activities Unit testified that upon inspection of the site, the cedar fence was five feet above ground level on the parking lot side. No inspection was made of the fence on the abutting residential property.

10. Mrs. Morgan stated that the fence does not shield the view of the automobiles on the lot. Mrs. Morgan did not communicate to applicant the problems she has encountered.

CONCLUSIONS OF LAW:

The Board has given much consideration to opposition's objections but find they are not warranted since no evidence was presented to support the objections.

Therefore, the Board finds that the continuance of this 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.

ORDERED:

That the above application be GRANTED conditionally for five years.

a. Permit shall be issued 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.

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.

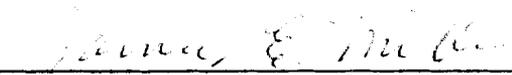
h. There shall be a seven foot buffer with landscaping next to the abutting residential property on lots 15 and 16, Square 4345. (See Exhibit 19, BZA 10476).

i. Applicant shall construct the split cedar fence on the easterly side of the buffer.

VOTE: 4-1 (Lilla Burt Cummings dissenting and Mr. Harps not present, but voted on June 13, 1974)

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

ATTESTED BY:



JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER: **JUN 25 1974**

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.