

Before the Board of Zoning Adjustment, D. C.

Application No. 12031, of American Security Corporation, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.411 of the Zoning Regulations to continue the use of a parking lot in the R-2 District at the premises 5201 Wisconsin Avenue, N. W., (Square 1665, Lot 9).

HEARING DATE: January 21, 1976

DECISION DATE: January 21, 1976 (From the Bench)

FINDINGS OF FACT:

1. The property is located in an R-2 District.
2. 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 C-2-A Zoning District as are the main bank facilities and the teller windows. Approximately six spaces of the 25 spaces are located in the R-2 District.
3. The accessory parking area was originally approved by the Board in 1959 in BZA Appeal No. 5385.
4. In BZA 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 (5) years.
5. In BZA Application No. 11399, the Board granted continuation of this lot for a period of two (2) years, with a dissenting opinion by Mr. Harps stating that, because of the fact that there was no opposition, a shown lack of adverse affect on the neighborhood, a buffer zone wider than other buffer zones requested from the BZA by other applicants, the application should be granted for a five-year period.
6. The six spaces for which continuation of parking lot use is requested are located entirely within 200 feet of the existing commercial district and are contiguous to the commercial district. The Bank's principal and accessory uses

are established in the C-2-A Zoning District.

7. Applicant has complied with Article 74 in that all areas devoted to driveways, access lanes and parking areas are paved with an all-weather, impervious surface, the parking lot is designed so that no vehicle or any part thereof will project over any lot line or building line; no other use is being conducted from or upon the premises located in the R-2 zone other than the parking lot as shown on the site plan; no vehicular entrance/exit is within 25 feet of a street intersection as measured from the intersection of the curb lines extended; any lighting uses to illuminate the lot is arranged so that all direct rays of the light are confined to the surface of the lot; additionally, the lot is separated from other residential property by a masonry wall as previously required by the Board.

8. Parking area for the six spaces is reasonably necessary and convenient to the neighborhood since it is a local facility with an existing drive-in teller window at the rear of the Bank and the parking lot spaces serve the use.

9. The circulation plan has worked satisfactorily over the years and, by virtue of the screening and substantial (100 feet) buffer area, separation from surrounding uses does not have any objectionable or adverse affect by reason of noise, traffic or other objectionable conditions. Applicant requests no changes in the operation of the lot from that previously approved by the Board.

10. There was no opposition to the grant of this application.

11. The Municipal Planning Office, by report dated January 13, 1976 recommended approval of the application for two years.

CONCLUSIONS OF LAW AND OPINION

Based upon the above Findings, the Board feels that the continuation of this lot will not create any dangerous or otherwise objectionable traffic conditions and that the

requirements of Paragraph 3101.411 have been met. Further, the application can be granted in harmony with the intent and purpose of the Zoning Regulations and will not tend to adversely affect neighboring property. It is therefore ordered that the application be GRANTED subject to the following conditions:

1. The applicant shall comply with all provisions of Article 74.
2. The applicant shall continue to comply with all the conditions of Order No. 11399.
3. The approval shall last for a period of five (5) years.

VOTE: 5-0 (Lilla Burt Cummings, Esq., Dr. Lewis, Mr. McIntosh and Mr. McCants to grant).

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

ATTESTED By: _____

Steven E. Sher
STEVEN E. SHER

Acting Secretary to the Board

FINAL DATE OF ORDER: MAR 1 1976

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.