

Before the Board of Zoning Adjustment, D. C.

Application No. 12344 of Leonard Schuman, pursuant to Sub-section 8207.2 of the Zoning Regulations, a special exception under Sub-section 3101.48. Applicant wishes to continue a parking lot. The property is located in the R-3 District; at the rear of 5309 Georgia Avenue, N. W., alley lot 110, Square 299

HEARING DATE: April 20, 1977

DECISION DATE: May 17, 1977

FINDINGS OF FACT:

1. The subject property is located in an R-3 District.
2. This property is presently operating as a parking facility pursuant to this Board's previous Order No. 10897 dated December 8, 1971.
3. The applicant proposes the continuation of the subject premises as a parking facility to serve the needs of the Jefferson Liquor Store.
4. The lot is located in an alley. The Board recognizes that limited use may be made of alley property.
5. The lot can accomodate approximately twenty (20) automobiles.
6. The Department of Transportation by report dated March 10, 1977 recommended a five-year approval of this application.
7. The Municipal Planning Office by report dated April 14, 1977, recommended a five-year approval of this application on the condition that parking spaces be marked off on the lot.
8. The lot is a non-attended facility.
9. There was no opposition to the granting of this application.

CONCLUSIONS OF LAW AND OPINION:

The Board is of the opinion that the continuation of this parking facility (recognizing the alley location of the lot, the total number of parking spaces and the low usage level) will not create any dangerous or otherwise objectionable traffic conditions. The Board further concludes that the present character and future development of the neighborhood will not be adversely affected. The lot is reasonably necessary to the uses in the vicinity. It is therefore ORDERED that this application is hereby GRANTED for a period of FIVE (5) YEARS subject to the following CONDITIONS:

a. That the applicant have the paved surface marked off for orderly parking of the vehicles.

b. 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.

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

d. Parking lot must be clean and all trash and debris removed before the issuance of permit.

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

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

g. 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.

h. 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.

i. 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.

Permit shall not be issued until all conditions of this Order are met and complied with, and further, the Board reserves the right to direct revocation of the permit upon a proper showing that any terms or conditions of this Order have been violated.

VOTE:

4-0 (William F. McIntosh, Charles R. Norris, Leonard L. McCants, Esq. and Dr. Walter B. Lewis by proxy)

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

ATTESTED By:



ARTHUR B. HATTON

Executive Secretary

FINAL DATE OF ORDER:

6-10-77

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 HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.