

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12424 of Margaret Weaver, Harvey Blumenthal, Charles S. Schupp and George J. Boukas, pursuant to Sub-section 8207.2 of the Zoning Regulations, for special exception (Paragraph 3101.48) to permit continuation of a parking lot in the R-2 District at 3820-26 McKinley Street, N.W., (Square 1859, Lots 49, 50, 51 and part of 92).

HEARING DATE: June 15, 1977

DECISION DATE: July 12, 1977

DISPOSITION: Application GRANTED by a vote of 4-0
(Walter B. Lewis, William F. McIntosh,
Leonard L. McCants and Charles R. Norris
to grant, Chloethiel Woodard Smith not voting,
not having heard the case)

FINAL DATE OF ORDER: August 25, 1977

Upon consideration of applicant's request, dated August 12, 1978, for Modification of Application No. 12424 as to the deletion of condition "5" of said Order, as stated under the Conclusions of Law and Opinion, the Board is of the opinion that the applicant has attempted to comply with said Order. In that attempt, the applicant has been advised, that condition "5" would create a hazard. The Board finds that the inclusion of condition "5", based on inspection by the Zoning Regulations Division of the Department Housing and Community Development would create a hazard. The Board also finds that the deletion of condition "5" will not materially change the circumstances as previously determined by the Board. Advisory Neighborhood Commission 3G by oral statement to the Board and by letters of September 20, 1977, and September 11, 1978 approved of the modification of application No. 12424 to delete condition "5" of said Order.

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It is therefore ORDERED that condition "5" of BZA Order No. 12424 be deleted. In all other respects the approval granted in BZA Order No. 12424 dated August 25, 1977, shall remain unchanged.

VOTE: 4-0 (William F. McIntosh, Charles R. Norris, Chloethiel Woodard Smith and Leonard L. McCants to grant)

DECISION DATE: September 6, 1978

BY ORDER OF D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____

Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: _____

25 SEP 1978

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12424 of Margaret Weaver, Harvey Blumenthal, Charles S. Schupp and George J. Boukas, pursuant to Sub-section 8207.2 of the Zoning Regulations, for special exception (Paragraph 3101.48) to permit continuation of a parking lot in the R-2 District at 3820-26 McKinley Street, N. W., Lots 49, 50, 51 and part of 92, Square 1859.

HEARING DATE: June 15, 1977
DECISION DATE: July 12, 1977

FINDINGS OF FACT:

1. The subject property is located in the R-2 District at 3820-3826 McKinley Street, N. W.
2. The subject property is currently operating as a parking facility. Prior Board approval was granted to operate the parking facility for five (5) years on July 14, 1965 Order No. 8285). Consequently, this facility has been operating without Board approval since July, 1970. This was covered by Certificate of Occupancy No. B-52678.
3. The applicant proposes to continue this parking facility for a period of five(5) years.
4. The proposed hours of operation are from 9:30 a.m. to 9 p.m. Monday through Saturday, with one attendant on duty from 10 a.m. to 6 p.m. Monday through Thursday and 10 a.m. to 9 p.m. Friday and Saturday.
5. This lot is surrounded by Commercial and residential uses. The lot serves the needs of the commercial establishments immediately in front of it which front on Connecticut Avenue. These uses include People's Drug Store, Chevy Chase Liquors, and Schupp's and Boukas Florist, all located in the 5500 Block of Connecticut Avenue, N. W.
6. The subject lot is approximately 17,785 square feet, and has spaces marked off for 34 vehicles.
7. The Municipal Planning Office by report dated June 10, 1977, recommended a five year approval of this application.

8. The Department of Transportation, by report dated June 29, 1977, indicated that the application had been reviewed and no adverse effect had been identified.

9. Mr. Albert Gollin, Chevy Chase Advisory Neighborhood Commission 3-G, supported the continuation of a parking lot because of the need it serves, but strongly opposed the general shabbiness and poor maintenance which characterize this parking facility. Testimony given by Mr. Gollin also included the opposition of the Chevy Chase Citizens Association concerning the poor maintenance and condition of the lot.

10. There were several letters in opposition to this application because of the amount of trash accumulation, the over growth of bushes, the delapidated walls, and general lack of cleanliness surrounding the subject parking facility.

CONCLUSIONS OF LAW & OPINION

Based on the foregoing Findings of Fact and evidence of record the Board concludes that this parking facility, given the consideration of the location and design of the lot, and the nearby commercial uses which it serves, will not be objectionable because of noise, traffic or other objectionable conditions. It is therefore ORDERED that this application is hereby GRANTED for a period of two (2) years subject to the following conditions:

1. The fence at the rear of said lot shall be immediately repaired and thereafter kept in a good state of repair;
2. The lot shall be inspected and policed on a daily basis in order to prevent the accumulation of trash, bottles, and other debris;
3. The pavement shall be resurfaced in order to repair all broken pavement;
4. The parking lot shall be lined and parking spaces marked off;
5. Bumper stops shall be erected in mid-lot spaces;
6. The area along McKinley Street shall be kept trimmed and mowed in a neat appearance;

7. The applicants shall provide additional landscaping planting in order to enhance the appearance of the subject lot.

VOTE: 4-0 (Walter B. Lewis, William F. McIntosh, Leonard L. McCants and Charles R. Norris to grant, Chloethiel Woodard Smith not voting not having heard the case.)

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

ATTESTED BY: _____


STEVEN E. SHER,
Executive Director

FINAL DATE OF ORDER: 25 AUG 1977