

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12503 of the Emmanuel Baptist Church, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.45 to permit an accessory parking lot for the church in the R-5-A District at the premises 2400-2408 Ainger Place, S.E. (Square 5730, Lots 9,10,11 and 848).

HEARING DATE: October 19, 1977
DECISION DATE: January 4, 1978

FINDINGS OF FACT:

1. The subject property is located at 2400-2408 Ainger Place, S.E. and is in an R-5-A District.
2. The owner of the subject property is the Emmanuel Baptist Church which plans to use the subject property, which is directly across the street from the church, as an accessory parking lot exclusively for church related activities.
3. The applicant at present has parking lot which is directly behind the church itself. However, a representative of the Church testified that with a membership of approximately 800 parishoners, that lot can no longer accomodate the church's parking needs.
4. The Church recently purchased the subject property but has no immediate plans, because of finances, to develop it into anything but a parking lot.
5. The four subject lots have a total area of approximatel 44,782 square feet and could accomodate a maximum of 130 to 145 cars. The lot is proposed to accomodate a total of 116 parking spaces, as shown on the site plan marked as Exhibit 20 on the record.

6. The lots are presently vacant although a chain link fence has been installed around the perimeter of the proposed parking area and gravel has been laid.

7. The site is flat over most of its depth but slopes downward toward 25th Street for approximately 25 feet. It is surrounded by apartment houses and a single residence. Access to the subject property is provided from Ainger Place by two driveways.

8. There was no opposition to the application.

9. Advisory Neighborhood Commission 6C filed no recommendation on the application.

10. The Municipal Planning Office, by report dated October 14, 1977, recommended approval of the application on the condition that all provisions of Article 74 regulating parking lots are met.

11. The application was referred to the Department of Transportation for review and report. By, report, dated December 15, 1977, the DOT stated the application had been reviewed and no adverse impacts were identified.

CONCLUSIONS OF LAW:

Based on the record the Board concludes that the parking needs of the Church are sufficiently large that all of the parking spaces cannot be located in the same lot as the Church. The Board concludes that the proposed lot is so located that the parking spaces are not likely to become objectionable to adjoining or nearby property because of noise, traffic or other objectionable conditions and that the granting of the special exception will not adversely affect the present character and future development of the neighborhood. Accordingly, it is ORDERED that the application is GRANTED SUBJECT to the following CONDITIONS:

- a. Approval shall be for a period of TWO years which may be renewed at the discretion of the Board upon the filing of a proper application.
- 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 structures or 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.

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

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER:

24 JAN 1978

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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.