

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13003, of the Riggs National Bank of Washington, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.48 to continue to operate a parking lot in an R-2 District at the premises 3901-3903 Warren Street, N.W. (Square 1784, Lots 6 and 7).

HEARING DATE: August 15, 1979
DECISION DATE: September 5, 1979

FINDINGS OF FACT:

1. The subject property is located at the northwest corner of 39th and Warren Streets, N.W. and is known as 3901-3903 Warren Street, N.W. It is in an R-2 District.
2. The property is presently used as a parking lot. The BZA last approved the continuation of the subject parking lot by BZA Order No. 11700, dated September 11, 1974. The approval was for five years.
3. The subject lot accommodates nineteen cars. It is used for customer parking of the applicant bank which is located at Warren Street and Wisconsin Avenue, N.W., in a C-3-A District.
4. The subject lot is located entirely within 200 feet of a commercial district and is contiguous to the commercial district.
5. The Office of Planning and Development, by report dated August 9, 1979, recommended approval of the application on the grounds that the subject parking lot is convenient and reasonably necessary for the customers of the applicant and that the lot is not likely to create objectionable traffic or other conditions. An on-site inspection of the parking lot by the OPD revealed that the prior conditions of the Board's Order were met. The Board so finds
6. The Department of Transportation, by memorandum dated June 22, 1979, recommended approval of the application. It noted that it received no complaints and that the appearance of the existing facilities was very good.

7. There were several letters in the file that the chain fence on the lot had been broken and that cars were using the lot beyond banking hours, and also that the fence on the wall in the rear of the parking lot was not being maintained. The applicant testified that these conditions were being remedied and submitted letters from the applicant to the complainants acknowledging the complaints and promising immediate correction.

8. Advisory Neighborhood Commission - 3F filed no recommendation on the application.

CONCLUSIONS OF LAW:

Based on the record, the Board concludes that the applicant has substantially complied with the requirements of Paragraph 3101.48 of the Zoning Regulations. The Board further concludes that the application can be granted as in harmony with the general purpose and intent of the Zoning Regulations and the granting of the application will not tend to affect adversely the use of neighboring property. Accordingly, it is ORDERED that the application is GRANTED SUBJECT to the following CONDITIONS:

- a. Approval shall be for a period of FIVE YEARS from the date of the expiration of the previous certificate of occupancy, namely September 11, 1979.
- b. The applicant shall replace the fence at the rear of the property and shall repair and maintain the new fence in a good state of repair.
- c. The applicant shall keep the lot chained and locked during non-banking hours.
- d. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- e. Bumper stops shall be erected and maintained for the protection of all adjoining 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.

VOTE: 5-0 (Ruby B. McZier, William F. McIntosh, Chloethiel Woodard Smith, Charles R. Norris, and Leonard L. McCants to GRANT).

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

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: _____

4 JAN 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.