

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13520, 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 the R-2 and C-1 Districts at the premises 3808 - 3810 and 3814-3816 Morrison Street, N. W., (Square 1859, Lot 95).

HEARING DATE: July 15, 1981

DECISION DATE: September 2, 1981

FINDINGS OF FACT:

1. The subject property is located on the south side of Morrison Street just west of Connecticut Avenue. It is in part in the R-2 and part in the C-1 Districts.

2. The subject property is used as a parking lot pursuant to Certificate of Occupancy No. B-117657, as authorized by BZA Order No. 13002. The approval will expire on October 2, 1981. The applicant filed this timely and prompt application for renewal on May 8, 1981.

3. The property presently serves as a parking lot for customers of the Riggs National Bank located immediately adjacent to the lot to the east at the intersection of Connecticut Avenue and Morrison Street, N. W.

4. The applicant proposes a continuation of a parking facility at this location. The portion of the lot in the C-1 District is occupied in part by two drive-up teller facilities.

5. The lot provides parking for twenty-eight cars, and is open only during the hours the bank is open. The lot is supervised by an attendant on duty during those hours.

6. The applicant may maintain a parking facility as a matter-of-right on the C-1 portion of the lot, provided the provisions of Article 74 of the Zoning Regulations are met. The Board finds that the portion of the lot within the C-1 District is not before the Board.

7. The lot is contiguous to and is located entirely within 200 feet of a commercial district.

8. The parking area and the aisles and driveways are paved with all-weather, water-impervious black topping.

9. Curbing inside the lot prevents any parked cars from extending beyond any lot line or building restriction line.

10. Except for a roof erected above the drive-in banking machines, there are no structures on the property.

11. There are two entrances to the parking lot, one of which serves as a direct access to the drive-in banking facility, and there are two exits. All entrances and exits are on Morrison Street. The intersection which is closest to the parking lot is Connecticut Avenue and Morrison Street, and it is approximately 150 feet from the exit leading from the drive-in banking facility. The other exit and the two entrances are farther away from this intersection.

12. Lighting for this parking area is provided by eight light posts, each of which is capped so as to direct the light down onto the surface of the parking area.

13. The property is screened by a painted concrete wall, which in several sections is topped by a solid wood picket fence. The height of the wall varies, but at no point is it less than forty-two inches high. The wall is more than twelve inches thick.

14. The property is maintained free of refuse and debris. The circumference of the parking area is planted with shrubs and trees, all of which are healthy and growing.

15. There is sufficient space on the lot to provide two wider parking spaces to accommodate handicapped spaces.

16. The subject lot has existed and operated with BZA approval since 1955.

17. In its orders of October 2, 1974 and July 25, 1979, the Board found that the subject lot was "reasonably necessary and convenient to other uses in the vicinity." Since neither the character of the Riggs lot nor the nature of other uses in the vicinity has changed, the lot continues to be "reasonably necessary and convenient."

18. The parking lot property is surrounded by the Chevy Chase Branch of the Bank on its east side, by a public alley on the south, by Morrison Street and Connecticut Avenue. Because of this location, it is unlikely that the continued usage of this property would cause objections because of noise, traffic or other conditions.

19. The D. C. Department of Transportation, by memorandum dated June 30, 1981, reported that it had reviewed the application and identified no adverse impacts. The lot is used for short term parking for bank customers. The lot was observed by the DOT to be clean and in good condition. The DOT had no objection to the granting of the continued use. The Board concurs with the finding and recommendation of the DOT.

20. There was no report from Advisory Neighborhood Commission 3-G on this application.

21. There was no opposition to the application.

CONCLUSIONS OF LAW AND OPINION

Based on the findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception. In order to be granted such an exception, the applicant must demonstrate that it has complied with the requirements of Paragraph 3101.48 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the applicant has so complied.

The Board concludes that continuation of this parking facility will not create dangerous or otherwise objectionable traffic conditions. The Board further concludes that the present character or future development of the surrounding neighborhood will not be adversely effected. The applicant complies presently with the provisions of Article 74, and the lot is reasonably necessary and convenient to the facility it proposes to serve. The Board notes that this is an exceptionally well maintained and well run facility.

The Board further concludes that the special exception can be granted as in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in accordance with said regulations and maps. It is therefore ordered that the application is granted, SUBJECT to the following CONDITIONS:

1. Approval shall be for a period of five YEARS from the the date of expiration of the previous Certificate of Occupancy which may be renewed at the discretion of the Board upon the filing of a proper application.
2. Two spaces of the five spaces on the west side of the lot and closest to the entrance to the bank shall be widened, marked for and reserved for the handicapped.
3. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.

4. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
5. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
6. 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.
7. 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.
8. 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 (Lindsley Williams, William F. McIntosh, Charles R. Norris, Douglas J. Patton and Connie Fortune to grant).

BY ORDER OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 15 OCT 1981

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.