

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14768, of the Riggs National Bank of Washington, pursuant to 11 DCMR 3108.1, for a special exception under Section 212 to continue to operate a parking lot for bank customers in an R-2 and C-1 District at premises 3808-16 Morrison Street, N.W., (Square 1859, Lot 95).

HEARING DATE: March 16, 1988
DECISION DATE: March 16, 1988

FINDINGS OF FACT:

1. The site is located at 3808-16 Morrison St., N.W., (Square 1859, Lot 95).
2. A portion of the site is located in a R-2 District; the remaining portion is in a C-1 District.
3. The site serves as a parking lot for customers of the Riggs National Bank located on an adjacent property.
4. On November 14, 1986, the Board of Zoning Adjustment (BZA) issued Order No. 14484 authorizing a continuation of the use through October 2, 1981. The applicant failed to file an application for a Certificate of Occupancy (C.O.) before the Order expired.
5. The applicant proposes to continue using the site as a parking facility.
6. No portion of the lot is more than 200 feet from a commercial district.
7. The lot is contiguous to a commercial district.
8. The parking area, aisles, and driveways are paved with an all-weather impervious surface.
9. Curbing prevents any vehicle from extending over lot and building lines.
10. The only structure on the lot is a roof over the drive-in banking machines.
11. The nearest street intersection is 150 feet from a vehicular entrance or exit.

12. All lighting is arranged to confine direct rays to the lot.

13. The property is landscaped and free of debris and refuse. All landscaping is healthy and growing.

14. The property is surrounded by a concrete wall which is topped by a solid wood picket fence in some sections. The wall is more than 12 inches thick and never less than 3 feet high.

15. The circumstances surrounding the application are no different from those which existed when BZA Order 14484 was issued.

16. The Department of Public Works (DPW) has no objection to the continued use, having found that the lot is needed to prevent the adverse impact which would result if customers and employees were made to park on surrounding streets. The Board concurs with this finding.

17. The Office of Planning (OP) recommended approval of the application based on the history of the site's use as a parking lot. The Board concurs with the OP's recommendation.

18. Advisory Neighborhood Commission 3G (ANC 3G) recommended that the application be granted for 3½ years to allow timely review of the lot's impact on the surrounding neighborhood. The ANC based its recommendation on the applicant's excellent record of operating and maintaining the lot. The Board concurs with the ANC's findings, but concludes that a five year continuance is sufficient to allow timely review.

19. There was no opposition to the application of record or at the public hearing.

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. To be granted an exception the applicant must show that he has complied with Section 212, and Sub-section 3108.1 of the Zoning Regulations.

The Board concludes that a continuation of this facility will satisfy the conditions of Section 212 and Sub-section 3108.1 of the Zoning Regulations. The applicant has shown that it has complied with chapter 23, and that a continuation would not create dangerous or objectionable traffic conditions or adversely affect the future development of the neighborhood. The applicant has also shown that the parking lot is necessary and convenient to other uses in

the vicinity, in harmony with the general purpose and intent of the Zoning Regulations and Maps, and unlikely to adversely affect the use of neighboring property.

The Board concludes that it has accorded to the ANC the "great weight" to which it is entitled. It is therefore ORDERED that the application is GRANTED subject to the following CONDITIONS:

1. Approval shall be for a period of FIVE years.
2. Two spaces of the five spaces on the west side of the lot and closest to the entrance to the bank shall continue to be 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: 3-0 (Paula L. Jewell, William F. McIntosh, and Carrie L. Thornhill to grant; Charles R. Norris not present, not voting).

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

ATTESTED BY:



EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: _____

JUN 24 6:29

UNDER 11 DCMR 3103.1, "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.

14768order/BJW29

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BOARD OF ZONING ADJUSTMENT

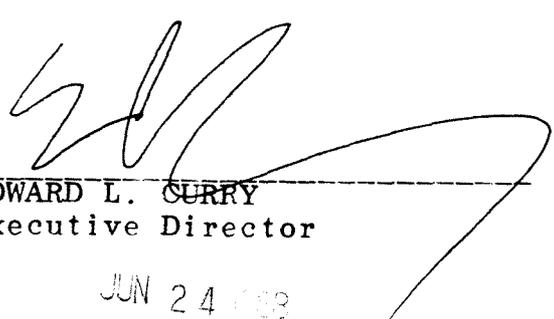


APPLICATION No. 14768

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order of the Board in the above numbered case, said Order dated _____, has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Andrea P. Salley, Esquire
Wilkes, Artis, Hedrick & Lane
1666 K Street, N.W., Suite 1100
Washington, D.C. 20006

Allen Beach, Chairperson
Advisory Neighborhood Commission 3-G
Chevy Chase Community Center
5601 Connecticut Avenue, N.W., 2nd Floor
Washington, D.C. 20015


EDWARD L. CURRY
Executive Director

DATE: _____

JUN 24 1988