

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15305 of Faith Tabernacle of Prayer, pursuant to 11 DCMR 3108.1, for a special exception under Section 215 to establish an accessory parking lot of sixteen spaces for a church in an R-5-A District at premises 2527 Alabama Avenue, S.E., (Square 5730, Lots 206-209).

HEARING DATE: May 23, 1990
DECISION DATE: May 23, 1990 (Bench Decision)

SUMMARY ORDER

The site of the application is located in Advisory Neighborhood Commission (ANC) 6C and in proximity to ANC 8B. ANC 6C, which is automatically a party to the application, did not file a written statement of issues and concerns.

The Board duly provided timely notice of the public hearing on this application, by publication in the D.C. Register, and by mail to ANC 6C and to owners of property within 200 feet of the site.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a special exception pursuant to 11 DCMR 215. No person or entity appeared at the hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108, and that the granting of the relief will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not adversely affect the use of neighboring property in accordance with the Regulations and Maps. It is therefore ORDERED that the application is GRANTED subject to the following CONDITIONS:

1. The parking lot shall be constructed in accordance with the plans on file and marked as Exhibit No. 25 on the record.
2. Landscaping along the eastern edge of the parking lot, where the site directly abuts residential properties, shall include a solid row of evergreen

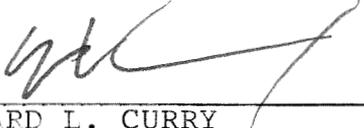
13. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
14. No other use shall be conducted from or upon the premises and no structure other than an attendant's 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.
15. 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.A

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law.

VOTE: 3-0 (William F. McIntosh, Paula L. Jewell and Charles R. Norris to grant; Carrie L. Thornhill and Lloyd Smith 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 8 1990

URSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW -38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

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 CONSUMER AND REGULATORY AFFAIRS.

15305order/BHS21

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 15305

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a letter has been mail to all parties, dated JUN 3 1990, and mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Curtis E. Franks
4906 Woodland Blvd.
Oxon Hill, Maryland 20745

Wanda Jackson
6317 Hilmar Drive, #302
Forestville, Maryland 20747

Clifton Chambers, Chairperson
Advisory Neighborhood Commission 6-C
2041 Martin Luther King Jr. Ave., S.E.
Suite 300
Washington, D. C. 20020

A handwritten signature in black ink, appearing to read "E. Curry", written over a horizontal line.

EDWARD L. CURRY
Executive Director

DATE: JUN 8 1990