

PUBLIC HEARING—June 16, 1965

Appeal #8176 Jack and Sylvia Kotz, appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on July 14, 1965:

ORDERED:

That the appeal to permit accessory automobile parking spaces elsewhere than on the same lots on which the proposed Safeway Store is to be located at 1707-09-11-13-15 Corcoran Street and 1626-30 - 17th St. N.W., lots 221, 807, 172, 171, 170, 806 and 93, square 155, be conditionally granted.

As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant proposes to erect its Safeway Store fronting on 17th Street in the C-2 District and with accessory parking to the rear on land zoned R-5-B.

(2) The parking lot will accommodate twenty two automobiles and will have access from Corcoran Street through a 22'2" wide driveway and through the 15 foot wide public alley.

(3) The Department of Highways and Traffic offers no objection to the granting of this appeal.

(4) There was some opposition to the granting of this appeal registered at the hearing. However, after a meeting with the signatory property owners of the 17th and Corcoran Street area most of this objection was eliminated subject to the conditions which are a part of this order.

OPINION:

We are of the opinion that it is economically impracticable or unsafe to locate such parking spaces within the principal building or on the same lot on which such building is permitted due to strip zoning and shallow zoning depth, and further the Safeway Store covers the entire property zoned C-2. We are further of the opinion that these parking spaces are so located and all facilities in relation thereto are so designed that they are not likely to become objectionable to adjoining or nearby property because of noise, traffic, or other objectionable conditions.

This Order is subject to the following conditions:

(a) The parking spaces authorized under the terms of this Order are required parking spaces which will require the owner of the land upon which such parking is to be located to agree to become a party to a covenant with the District of Columbia to run with the land and to be binding upon him and his successors in title, which requires that the area approved for required off-street parking shall be reserved exclusively for that purpose so long as the improvements to be served exist or so long as said accessory off-street parking is required by the Zoning Regulations.

(b) All areas devoted to driveways, access lanes, and parking areas shall be paved with materials which form an all-weather impervious surface.

(c) The parking lot shall be so designed that no vehicle or any part thereof shall project over any lot or building line.

(d) 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 district in which the parking lot is located.

(e) Any lighting used to illuminate the parking area or its accessory buildings shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

(f) The parking area shall be laid out in accordance with Exhibit #5 on file with the Board.

(g) The Corcoran Street Facade shall be in accordance with Exhibit #8 on file with the Board.

(h) This order shall be subject to agreement with property owners of the 17th and Corcoran Street area listed on Exhibit #9 on file with the Board.

Occupancy permit shall not issue until all conditions of this Order are met and complied with. Further, the Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.