

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- November 16, 1967

Appeal No. 9034 Allan Sahn, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and carried with Messrs. Scrivener and McIntosh not voting, the following Order was entered at the meeting of the Board on November 29, 1966.

EFFECTIVE DATE OF ORDER -- May 3, 1967

ORDERED:

That the appeal for permission to establish a parking lot for a period of five years on lot 1, square 1661 at 4300 Military Road, NW., to serve customers and tenants of premises 5315-17-19 Wisconsin Avenue, NW., be conditionally granted.

FINDINGS OF FACT:

- (1) The subject property is located in an R-2 District.
- (2) The Board inspected the property on November 14, 1966 and found an unimproved lot surrounded with large hedges approximately six (6) feet in height. Opposite the site were single family dwellings.
- (3) The subject lot has a frontage of 394.52 feet on 43rd Street, 152.64 feet on Belt Lane and 137.39 feet at the south end of the lot which abuts a public alley. The lot has an area of 49,634 square feet. The lot adjoins the rear of the commercial properties on Wisconsin Avenue which is zoned C-3-A.
- (4) It is proposed to utilize the lot for the parking of automobiles of customers and tenants of premises 5315-17-19 Wisconsin Avenue, NW. The proposed parking lot will provide 88 off-street parking spaces.
- (5) In Appeal No. 7921 the Board denied permission to establish off-street parking on the subject lot by Order entered October 7, 1964.

(6) The proposed parking lot will be located in its entirety within 200 feet of the existing commercial district, and the lot will be used only during business hours.

(7) The Department of Highways and Traffic offers no objections to the establishment of this proposed parking lot. However, the Department suggests that the proposed operational pattern may produce objectional results. Therefore, the Department makes the following suggestions for changes:

- "1. The new driveway from Wisconsin Avenue to the parking lot should be one-way eastbound only.
2. Left-turns from Wisconsin Avenue to the new driveway should be prohibited during the rush hours.
3. The proposed ingress and egress to the lot from Belt Lane should be closed to eliminate possible driving in the wrong direction on Belt Lane, a one-way eastbound street, and to eliminate potential congestion at the intersection of Belt Lane, 43rd Street and Military Road.
4. A new driveway from the lot to 43rd Street should be built near the midpoint of the lot. This driveway should be considered to be the main ingress and egress to the lot."

(8) There was no objection to the granting of this appeal registered at the public hearing.

OPINION:

It is the opinion of the Board that the use of the proposed area as a parking lot will create no dangerous or otherwise objectionable traffic conditions, that the present character and future development of the neighborhood will not be adversely affected, and that the parking is reasonably necessary and convenient for the uses it is designed to serve. Further the granting of this appeal subject to the conditions hereinafter set forth, is in harmony with the general purpose and intent of the Zoning Regulations and Maps.

This Order shall be subject to the following conditions:

- (a) Appellant shall comply with the changes suggested by the Department of Highways and Traffic. (See Fact No. 7).
- (b) Appellant shall preserve the present hedges, insofar as is practicable, which surround the lot.
- (c) Appellant shall provide screening according to the plan submitted at the hearing of the Board on November 16, 1966 except where changes are made to comply with the suggestions of the Department of Highways and Traffic
- (d) Permit shall issue for a period of five (5) years, but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.
- (e) All areas devoted to driveways, access lanes and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- (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 structures are 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.

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.