DETAILED STATEMENT IN SUPPORT OF APPLICATION IN ORDER TO MEET BURDEN OF PROOF

THE APPLICANT INTENDS TO ESTABLISH THE FACTS LISTED BELOW IN SUPPORT THE CONCLUSIONS OF LAW FOR GRANT OF SPECIAL EXCEPTION AND VARIANCES REQUESTED FOR ACCESSORY PARKING THROUGH OWNER'S AND EXPERT TESTIMONY, INCLUDING TRANSPORTATION EXPERT AND TRAFFIC STUDY.

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FINDINGS OF FACT:

1. The subject property is located on the northwest corner of the intersection of Vermont Avenue and T Street, N.W., and is known as premises 1902 Vermont Avenue, N.W. It is located in an R-4 District.

2. By Order No. 12215, dated November 8, 1976, the Board approved the continuation of this parking lot for five years.

3. The subject lot is approximately 5,226 square feet in area and provides twenty-one parking spaces.

4. The parking lot is used by the members of the Most Worshipful Prince Hall Grand Lodge and tenants of that building which is located to the north of the site at 1000 U Street, N.W. It is not available for general public parking.

5. The hours of operation of the subject parking lot are from 8:00 A.M. to 12 Midnight. There is a guard on duty during the hours of operation and the lot is secured at midnight by a locked gate.

6. The applicant testified that the lot complied with al the conditions of BZA Order No. 12215. The Board so finds.

7. The subject lot is well maintained and the representative of the applicant testified that he has never received any complaints in reference to the subject lot. There is a sign on the attendant's shelter advising of the ownership of the lot.

8. The reord was left open at the end of the public hearing for referral of the application to the D.C.

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Department of Transportation and the submission of the DOT report.

9. By memorandum dated March 2, 1982, the Department of Transportation advised the Board that it had identified no adverse traffic impact on the surrounding street system and had no objection to the continued use of this parking lot.

10. There was no report from Advisory Neighborhood Commission 1B on this application.

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

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 3104.44 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the applicant has so complied. The lot is reasonably necessary and convenient to the Most Worshipful Prince Hall Grand Lodge which it serves. The use of the lot does not result in dangerous or otherwise objectionable traffic conditions. There are no commercial advertising signs on the lot. The lot complies with the requirements of Article 74.

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:

A. Approval shall be for a period of FIVE years from 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.

B. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.

C. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.

D. No vehicle or any part thereof shall be permitted

to project over any lot or building line or on or over the public space.

E. 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.

F. 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.

G. 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.