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November 20, 2003

Jerrily R. Kress
Executive Director
Board of Zoning Adjustment
441 4th Street, N.W., Suite 210-S
Washington, DC 20001

Re: BZA APPLICATION.: 17069
Special Exception for an accessory parking
3831 McKinley Street, N.W.

Dear Ms. Kress:

In accordance with the Board of Zoning Adjustment directive of November 18, 2003, I am enclosing herewith the applicant's amended conditions with respect to the above-reference application.

Should you have any questions, please do not hesitate to inform me.

Very truly yours,

McCANTS & ASSOCIATES LLC

Leonard L. McCants

LLM/ ell
Enclosures
cc: Gary Bortnick
Advisory Neighborhood Commission 3/4G

BZA
Case No. 17069
Exhibit No. 27

Board of Zoning Adjustment
District of Columbia
CASE NO. 17069
EXHIBIT NO. 27

Based on the foregoing, the Board hereby **ORDERS** that the application be **GRANTED, SUBJECT** to the following **CONDITIONS:**

1. Approval shall be for a period of **FIVE YEARS.**

2. A parking attendant from Magruder's shall be present on the lot during the core hours of operation (10:00 a.m. - 6:00 p.m.) and shall assist in keeping the alley clear of vehicles and monitor the entry of cars from McKinley Street into the lot.

3. Parking on the subject lot shall be exclusively for patrons and employees of Magruder's supermarket. A sign indicating such restriction shall be posted on the lot.

4. The parking lot, the retaining wall, and the adjacent landscaping shall be maintained, policed, and kept in prime condition.

5. The lot shall be secured with a gate, chain or cable during all hours that it is not in operation.

6. Deliveries to the store, which occur from the lot, shall be limited to the hours between 7:00 a.m. and 9:00 p.m., Monday through Saturday and between 9:00 a.m. and 3:00 p.m. on Sunday. All vendors shall be instructed that horn blowing is not allowed at any time. Store personnel shall be signaled through alternative means provided by Magruder's.

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

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

9. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.

10. 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 other structure is otherwise permitted in the zoning district in which the parking lot is located.

11. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting be confined to the surface of the parking lot.

12. Applicant shall install and maintain professionally lettered traffic signage indicating the entrances and exits to the lot. The applicant shall install appropriate signs to advise vehicle operators not to block the sidewalk.