

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - September 17, 1969

Appeals No. 10153-54-55 Harry R. Jaffee et al, Eugene L. Bernard, Trustee, and Continental Properties, Inc., appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of September 23, 1969.

EFFECTIVE DATE OF ORDER - Jan. 8, 1971

ORDERED:

That the appeal for permission to establish and continue parking lots for a period of five (5) years at 1836-38 Florida Avenue and 1811-13-15 T Street, NW., Lots 816,17,817, Square 131, be conditionally granted.

FINDINGS OF FACT:

1. The subject properties are located in an R-5-B District.
2. The properties are presently being used as parking lots except the property at 1815 T Street, NW., which is an unimproved lot.
3. The appellants propose to establish a parking lot at 1815 T Street and continue to operate the existing parking lots on the other properties.
4. The Department of Highways and Traffic offers no objection to the granting of these appeals.
5. The 19th Street Association objected to the granting of this appeal at the public hearing.

OPINION:

We are of the opinion that the continuation and establishment of this parking facility will not create any dangerous or otherwise objectionable traffic conditions, that the present character and future development of the neighborhood will not be adversely affected, and that the lot is reasonably necessary and convenient to other uses in the vicinity. However, the Certificate of Occupancy shall not issue until the conditions hereinafter set forth in this Order are complied with.

The Board is of the further opinion that the request by the opposition for reconsideration should be denied since no new evidence was presented which could not have been presented at the original public hearing.

This Order shall be subject to the following conditions:

- [a] 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.
- [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] An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- [d] Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- [e] No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- [f] 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.

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[g] 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.

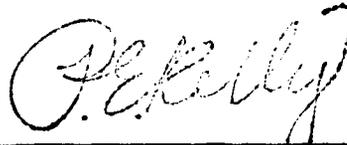
[h] Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

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.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: _____



PATRICK E. KELLY
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.