

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - February 17, 1971

Appeal No. 10685 D.C. Redevelopment Land Agency, appellant.

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 February 23, 1971.

EFFECTIVE DATE OF ORDER - March 25, 1971

ORDERED:

That the appeal for variance from the requirements of Section 7404.11 to permit parking lot surface to be other than impervious for temporary period at 735 New Jersey Avenue, NW., Lot 800, Square W-624, be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in a C-3-B District.
2. The property is currently unimproved and contains 7,251 square feet in the Northwest Urban Renewal Area Project No. 1.
3. The appellant proposes to operate a parking lot as an interim use on the subject property. The appellant also proposes to use bluestone or gravel in lieu of all weather impervious surface.
4. The proposed parking lot will be a temporary use with a month to month lease. The property will be developed eventually as a park under the Urban Renewal Plan for the area.
5. No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that appellant has proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

OPINION Cont'd:

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

This Order shall be subject to the following conditions:

[a] Permit shall issue for a period of one year, 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 bluestone in lieu of 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 (with bluestone) and kept in a neat and orderly appearance.

[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.

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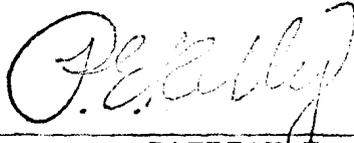
[h] Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

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.