

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - October 13, 1972<sup>6.8</sup>

Application No. 10948 George Washington University, appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and carried unanimously, the following Order of the Board was entered at the meeting of June 7, 1972.

EFFECTIVE DATE OF ORDER - August 2, 1972

ORDERED:

That the application for permission to establish a parking lot in conjunction with lot approved in BZA Order No. 10466 at 2027-29 H Street, N.W., lots 813 and 814, Square 101 be CONDITIONALLY GRANTED.

FINDINGS OF FACT:

1. The subject property is located in an R-5-C District.
2. The property is presently improved and used as the university departmental office building.
3. The applicant proposes to raze the buildings on the subject property and a parking lot is to be constructed in conjunction with the parking facility approved in BZA Order No. 10466.
4. The parking lot would be used by students, faculty and staff of the university and is an interim use under the college master plan.
5. The Department of Highways and Traffic offered no objection to the granting of this special exception for the establishment of a parking lot for five years.
6. Applicant stated that the proposed parking lot would replace in part spaces that would be lost because of Metro construction, and construction by the university of the medical science building, library, and parking garage all on properties previously used for parking.
7. The National Capital Planning Commission recommended to the Board of Zoning Adjustment, approval of the application of the George Washington University to provide off-street parking for a five year period for students, faculty and staff.

8. At the public hearing, there was objection raised as to the granting of this application. The objectors testified in opposition to the destruction of the structures on the property and against use of the property as a parking lot.

9. Subsequent to the public hearing, letters were received requesting a re-hearing by the Board in this application stating that the initial hearing was defective in fulfilling the requirements of the Administrative Procedure Act.

OPINION:

We are of the opinion that the establishment of this parking lot will not create any dangerous or otherwise objectionable traffic conditions. The present character and future development of the neighborhood will not be adversely affected. The lot is reasonably necessary and convenient to other uses in the vicinity.

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.

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 structure is otherwise permitted in the Zoning district in which the parking lot is located.

August 2, 1972

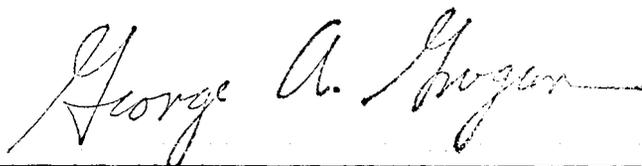
h. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

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.

The Board is cognizant that its rules of procedure at the time of the hearing on this matter did not specifically provide for cross-examination but that there was no specific request for an opportunity to cross-examine made or denied. If any person participating in this proceeding believes that he has been prejudiced by the lack of an opportunity to cross-examine, the Board is disposed to entertain a motion to re-open this case to permit cross-examination. Such a motion should be made within fifteen (15) days from the date of this final decision. The motion should identify the witnesses to be cross-examined, as well as that portion of his testimony to be subjected to cross-examination. Specific reference to the transcript of proceedings will be helpful. Copies of the transcript are available for inspection by the public in the Offices of the Zoning Commission, District Building, Room 11A, 14th and E Streets, N.W. between 8:15 a. m. and 4:45 p. m. The motion should be forwarded to the Board in care of this address.

BY ORDER OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:   
\_\_\_\_\_  
GEORGE A GROGAN  
Secretary of the Board

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

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- November 29, 1972

Application No. 10948 George Washington University, appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and carried by a vote 4-0, the following Order of the Board was entered at the meeting of January 23, 1973.

ORDERED:

That the application for permission to establish a parking lot in conjunction with lot approved by Board of Zoning Adjustment No. 10466 at 2027-29 H Street, N.W., Lot 813, 814, Square 101, be **CONDITIONALLY GRANTED**.

FINDINGS OF FACT:

1. Subject property, owned by George Washington University, is located in an R-5-C District which is defined by the Zoning Regulations as an area of general residences.

2. At the present time the subject property is improved by university departmental office buildings, but it is applicant's intent to raze said buildings and construct a parking lot.

3. Applicant's proposal herein is made in conjunction with lot approved in Board of Zoning Adjustment No. 10466, dated July 15, 1970. The parking lot will be used by students and staff of the University and is an interim use under the Master Plan.

4. On October 1, 1971, the Department of Highways and Traffic, submitted a letter to this Board in which they offered no objection to the **GRANTING** of this application. However, they did proceed to recommend that the application be **GRANTED** for a period not to exceed more than five years.

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5. It is applicant's contention that the proposed parking lot will provide additional needed off-street parking for the exclusive use of the University's students and faculty.

6. Opposition was voiced at the public hearing by neighbors, that opposition centered around the desire to have the subject properties made into green areas. Perhaps have the area made into a park.

OPINION:

Pursuant to Section 3101.42 of the Zoning Regulations the applicant, George Washington University is obliged to adequately demonstrate to this Board that the proposed use of the subject properties is not likely to become objectionable to the neighboring property owners. It is our determination that applicant has done so.

We are of the opinion that the continuance of this parking lot will not create any dangerous or otherwise objectionable traffic conditions. The present character and future development of the neighborhood will not be adversely affected. The lot is reasonably necessary and convenient to other uses in the vicinity.

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 application 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.

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 structure is 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.

i. Landscaping plans must be approved by the Department of Highways and Traffic.

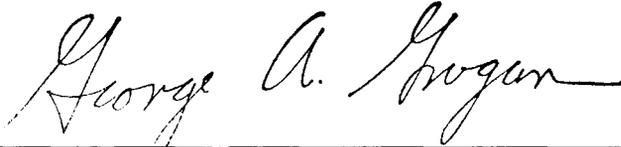
j. Use of this lot shall be restricted to private automobiles of students and faculty only. No commercial vehicles or trucks permitted.

Permit shall not issue until all conditions of this Order are met and complied with and further, the Board reserves the right to direct revocation of permit upon 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: \_\_\_\_\_



GEORGE A. GROGAN  
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 DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.