

Before the Board of Zoning Adjustment, D. C.

Application No. 11615, of 13th & N Street Joint Venture, pursuant to Section 8207.2 of the Zoning Regulations for a special exception to continue the operation of a parking lot as provided by Section 4101.41 in the SP Zone at 1301-1311 N Street, N. W., Lot 826, Square 243.

HEARING DATE: April 17, 1974

EXECUTIVE SESSION: June 16, 1974

FINDINGS OF FACT:

1. The subject property is located in an SP Zone.
 2. The Board conditionally granted this appeal in 1969 for five (5) years in BZA 9983.
 3. A field inspection of the site by Zoning Activities Unit revealed that bumper stops do not exist, and the Board finds the landscaping is not well maintained, the space provided for landscaping was littered with cans, bottles and other trash, there was no water faucet as stipulated by the Board's Order for upkeep of the foilage and the perimeter of the lot was littered with trash.
 4. The Board finds that the applicant submitted a letter from the manager of the abutting property permitting applicant to use their water tap for the upkeep of the foilage.
 5. The owner of the property, Stanley S. Bender intends to improve the property with an apartment house if he can obtain financing.
 6. The Department of Highways & Traffic offered no objection to the continuance of this lot. The Department of Highways & Traffic estimates, and the Board finds that this lot operates at an 80% capacity and it meets a demand for parking in the area.
 7. No opposition was registered at the Public Hearing.
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CONCLUSIONS OF LAW:

Based upon the above Findings of Fact the Board finds 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.

ORDERED: That the above application be CONDITIONALLY GRANTED.

Vote: 3-2 (Lilla Burt Cummings & Mr. Klauber dissenting)

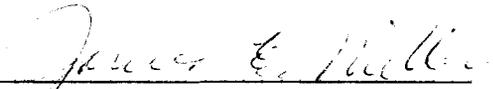
This Order shall be subject to the following conditions:

- a. Permit shall be issued for a period of two (2) 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 from 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.

Application No. 11615
Page 3

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

ATTESTED BY:



JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER:

JUN 24 1974

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.