

Before the Board of Zoning Adjustment, D. C.

Application No. 11742 of 1401 Sixteenth Street Associates, pursuant to Section 8207.2 of the Zoning Regulations for a special exception to permit accessory parking in the SP Zone as provided by Section 3104.44 of the regulations, at 1401 16th Street, N. W., Lot 847, Square 195.

HEARING DATE: October 16, 1974

EXECUTIVE SESSION: October 25, 1974

FINDINGS OF FACT:

1. The applicant proposes to use the subject property for accessory parking for Law Offices located on the SP portion of the property.

2. The lot upon which the proposed parking lot would be located is located in both the SP and R-5-B Zones.

3. A portion of the proposed parking lot is located in the R-5-B portion of the lot.

4. The proposed parking lot was previously used for at least 15 years by two previous owners of the subject property.

5. The SP office use of the subject property requires fourteen parking spaces, whereas the applicant proposes to provide 18 parking spaces.

6. Opposition registered at Public Hearing was based upon assertions that the proposed parking lot would have a deleterious affect upon the amenities of the residential neighborhood near the subject property.

7. The Board finds that the proposed use of the subject property as an accessory parking lot is necessary and required by the regulations.

8. The Department of Highways & Traffic stated no objections to this application.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact and Conclusions of Law, the Board Concludes that the applicant has satisfied the conditions of Section 3104.44 of the regulations. There is no evidence of record which indicates that the existence of the proposed lot would create dangerous or other objectionable conditions. Inasmuch as parking is required for site and the applicant will provide four (4) more spaces than required by these regulations, the Board concludes that, if granted, the relief requested in this application would be in harmony with the general purpose and intent of the Zoning Regulations and Maps.

ORDERED:

That the above application be GRANTED as accessory to the law office use of the subject property only and 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 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.

VOTE:

5-0

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

ATTESTED BY:



JAMES E. MILLER

Secretary to the Board

FINAL DATE OF ORDER: **DEC 09 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.