

BEFORE THE BOARD OF ZONING ADJUSTMENT, D. C.

Application No. 11897, of Elul Joint Venture, as amended for special exception to permit accessory parking to serve the movie theater located at 507 8th Street, S.E., on Lots 809 and 810, Square 926, 526 and 528 8th Street, S. E.

PUBLIC HEARING: May 21, 1975

EXECUTIVE SESSION: May 27, 1975

FINDINGS OF FACT:

1. Applicant, based upon a revised computation made by the Zoning Administrator, requested that the application be amended to delete all relief originally advertised and to proceed solely under Section 7205.3 for the Lots 809 and 810 located on the west side of 8th Street, S.E., for accessory parking to serve the movie theater building located at 526 and 528 8th Street, S.E. This amendment was Granted.
2. The subject lot has been used for public parking. The parking lot is zoned C-2-A and is permitted as a matter of right in this zone, but since this parking use would be accessory required parking, B.Z.A. special exception approval is required.
3. The applicant's plan calls for provisions of 14 spaces on the lot, which is the number required. The parking spaces will meet the requirements of the Zoning Regulations as to size and access and no variances are requested.
4. Because 507 8th Street, S.E., is presently improved by a two story building occupying 100% of the lot, it is not practicable to locate spaces on the lot on which the principal use is located.
5. The spaces are separated from the principal lot by 8th Street, which is 90 feet in width. There are no other available parking spaces either adjacent to the property or closer to the movie theater building than the subject accessory parking area.
6. The spaces will provide reasonable and convenient parking facilities to the theater customers since they are located within 225 feet of all lot lines of 507 8th Street, S.E. From car door to entrance to the movie theater, the walking distance will be approximately 125 feet.

7. The movie theater operation is directed toward a neighborhood audience and no x-rated pictures will be shown. The schedule will be restricted to evening showing except for saturday, sundays and holiday matinees. There will be a break between each show.

8. The lot will be chained at all times except when the lot is occupied by theater customers.

9. The applicant seeks to keep the lot free from any landscaping that would provide coverage for a person. Presently, the parking area is not screened. The applicant will meet all applicable requirements concerning the operation of the accessory lot.

10. There is no opposition to the granting of this application. The Office of Planning and Management and the Capitol Hill Restoration Society supports the Granting of this application.

CONCLUSIONS OF LAW:

The Board concludes that the applicant has met all the requirements of Section 7205.3 concerning the location of accessory parking spaces on lot other than upon which the principal use is located. The Grant of the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to adversely affect the use of neighboring property in accordance with the Regulations and Map.

ORDERED: THAT THE ABOVE APPLICATION BE, GRANTED, SUBJECT TO THE CONDITIONS SET FORTH BELOW:

CONDITIONS:

1. A covenant shall be provided for the required accessory parking as required by the Office of the Zoning Administrator.

2. The lot shall be chained except when open for theater customers.

3. That no permits shall be issued unless and until the applicant has become owner of the subject property by fee simple absolute and that the subject property shall be used exclusively by the principle use (theater) for accessory parking during hours of operation.

Application No. 11897

PAGE No. 3

VOTE: 4-0 (Mr. Klauber's proxy unclear.)

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

ATTESTED BY: James E. Miller
JAMES E. MILLER
Secretary to 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.

FINAL DATE OF THIS ORDER: _____

JUN 10 1975