

Before the Board of Zoning Adjustment, D. C.

Application No. 11941 of Rental Associates, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under paragraph 4101.41 to permit the continued use of a parking lot in the SP District at the premises 435-437 H Street, N. W. (Square 517, Lots 816 & 817).

HEARING DATE: August 20, 1975 and November 19, 1975

DECISION DATE: May 25, 1976

FINDINGS OF FACT:

1. The property is located in an SP District.
2. The property is presently used as a parking lot, approved by the Board in Case No. 11262. Certificate of Occupancy No. B-86147, dated June 25, 1973, covers the use. The lot is operated as part of a large lot which fronts on H Street.
3. In Case No. 11262, the Board requested the applicant to submit landscaping and screening plans for the lot. Such a plan was submitted, and was approved by Arthur B. Hatton, Executive Director of the Office of the Zoning Commission and member of the Board, for the Board on May 7, 1973. The plan shows a screen of "English Boxwood" along the H Street frontage of the entire parking lot, even though only part of the lot was before the Board.
4. No landscaping has been provided on any portion of the lot.
5. The Municipal Planning Office, by report dated August 15, 1975, recommended approval of the lot as an interim use which meets parking needs until other parking facilities become available or the demand for parking is modified when Metro becomes operational.
6. The Department of Transportation, by report dated April 16, 1975, offered no objection to the continued use of the parking lot.
7. There was no opposition to the application.

CONCLUSIONS OF LAW AND OPINION:

Based on the reports of the two government agencies, the Board concludes that the use has not and will not create dangerous or objectionable traffic conditions and that the present character and future development of this area will not be adversely effected. It is therefore ORDERED that the application be GRANTED subject to the following conditions:

1. The applicant shall landscape the H Street frontage of the property in accordance with the landscaping plan submitted to the Board in Case No. 11262, such plan approved by the Board on May 7, 1973. The applicant shall completely comply with that plan within 60 days of the final date of this Order.
2. The applicant shall continue to comply with the conditions of BZA Order No. 11262.
3. Approval shall be for a period of three years.

VOTE:

5-0 (Leonard L. McCants, William F. McIntosh, Lilla Burt Cummings, Esq., William S. Harps and Walter B. Lewis to grant)

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

ATTESTED By:



STEVEN E. SHER, Acting
Secretary to the Board

FINAL DATE OF ORDER: JUN 4 1976

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 HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.