

Before the Board of Zoning Adjustment, D. C.

Application 12137 of Melvin L. Clark, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under paragraph 4101.41 to continue the use of a parking lot in the SP District at the premises 813 - 4th Street, N. W., (Square 528, Lots 805-808, 813 and 814).

HEARING DATE: May 19, 1976
DECISION DATE: May 25, 1976

FINDINGS OF FACT:

1. The subject property is located in an SP District.
2. The applicant proposes to continue use of subject property as a parking lot.
3. The subject property has operated as a commercial parking lot for twelve years by order of this Board.
4. The parking lot is operated by RBI Parking Corporation.
5. The Board waived the timely filing of the affidavit of posting since it was established that the property had been posted well in advance of the posting requirements.
6. The property is up for sale.
7. The Municipal Planning Office and the Department of Transportation recommended conditional approval of this application.
8. There was no opposition registered at the public hearing.

CONCLUSIONS OF LAW AND OPINION:

Based upon the foregoing Findings of Fact, the Board is 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.

It is therefore ORDERED:

That the above application be GRANTED for a period of TWO YEARS, subject to renewal at discretion of the Board.

The applicant shall within 60 days of the final date of this Order meet all requirements of the Board's Order in Application No. 11538 as set out below:

- A. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- B. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- C. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- D. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- E. 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.
- F. 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:

4-1 (Leonard L. McCants, William F. McIntosh, William S. Harps to grant, Theodore F. Mariani to grant by proxy, Lilla Burt Cummings, Esq. to deny)

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

ATTESTED By:



ARTHUR B. HATTON

Executive Secretary

BZA No. 12137

Page 3

FINAL DATE OF ORDER:

June 25, 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.