

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12240 of St. Luke's Episcopal Church, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3104.44 to continue the use of a parking lot in the R-5-B District at the premises 1514-1520 Church Street and at the corner of 15th and P Streets, N.W. (Square 194, Lots 66, 84-87, 92 and 93).

HEARING DATE: April 20, 1977
DECISION DATE: May 17, 1977

FINDINGS OF FACT:

1. The application as originally filed requested approval to continue parking on lots 84-87 only. Subsequently, prior to the advertisement for the April 20, 1977 hearing, a revised application was filed for permission to continue parking on Lots 66-69, 84-89 and 92-94.

2. According to testimony from the Municipal Planning Office, Lots 67-69, 88, 89 and 94 were being used for parking prior to May 12, 1958. They are thus existing non-conforming uses and may continue without approval from the Board.

3. The Lots which are thus before the Board for continuation of parking are 66, 84-87, 92 and 93. These lots are the same lots for which the Board previously approved continuation of parking in Case No. 10795 by Order dated August 27, 1971.

4. The parking located to the west of St. Luke's Church on Church Street is used by the Church for its own purposes, as well as being operated as a commercial parking lot. The parking located to the south of the Church on P Street is operated as a commercial lot. During the evenings and on weekends, both lots are used by the Church and residents of the area.

5. The Church has eventual plans to expand its facilities to the west on the Church Street lot.

6. The 1500 blocks of Church and P Streets are predominantly residential in character, although there are some commercial uses in these blocks. There is an SP zone district along both sides of 16th Street, less than one block to the west, which contains a mixture of office and residential uses. There is a C-M-3 District east of 15th Street which contains additional commercial uses as well.

7. The Municipal Planning Office, by reports dated October 15, 1976 and February 11, 1977, recommended approval of the application, stating in part that the lots "are well maintained and do not appear to adversely affect the present character or the future development of the area."

8. The application was referred to the Department of Transportation, by memorandum dated July 9, 1976. No report from the Department was received.

9. Advisory Neighborhood Commission 2B, by testimony at the hearing and by statement dated February 16, 1977, recommended that the Board approve the Church Street lot only, for a period of two (2) or three (3) years.

10. The North Dupont Community Association and the Dupont Circle Citizens Association, by testimony at the hearing, recommended that the Board approve the Church Street lot, but deny the P Street lot, on the grounds that the latter is a commercial lot and should not be continued indefinitely.

CONCLUSIONS OF LAW AND OPINION:

Based on the above findings of fact and the evidence of record, the Board concludes that the parking facility has not created any dangerous or objectionable traffic conditions, and that its continuation in the same manner will not cause any such conditions. The Board concludes that the lots serve the needs of the area, by providing daytime parking for workers and residential parking for area residents, as well the parking needs of St. Luke's Church. The Board concludes that the lots will not adversely affect the present character or future development of the area. It is therefore ORDERED that this application be GRANTED, subject to the following conditions:

1. Approval shall be for a period of two (2) years, which period may be renewed by the Board upon the filing of a proper application.
2. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
3. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.
4. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
5. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
6. 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.
7. 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 structures are otherwise permitted in the zoning district in which the parking lot is located.
8. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.

VOTE: 4-0 (William F. McIntosh, Charles R. Norris, Leonard L. McCants to GRANT, Walter B. Lewis to GRANT by proxy).

