

Before the Board of Zoning Adjustment, D. C.

Application No. 12312 of H. E. Hungerford, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Section 3104.44. The applicant requests a special exception to permit a parking lot in the R-4 District at 208-10-12 F Street, N.E., Lot 97, Square 753.

HEARING DATE: February 22, 1977

DECISION DATE: March 8, 1977

FINDINGS OF FACT:

1. The subject property is located in an R-4 Zoned District.
2. The applicant proposes to use the property as a parking lot.
3. This property is surrounded by alleys to the North, South and West and by the rear yards of residences to the East.
4. The Board notes that limited use may be made of alley property (i.e. parking lots, warehouses) both of which require approval of this Board.
5. The Board notes that this lot is not fronting on any given street, and therefore, should be identified only as Lot 97, Square 753.
6. The Municipal Planning Office by report dated February 17, 1977 recommended a three year conditional approval of this application.
7. The Department of Transportation by report dated February 16, 1977, recommended approval of this application.
8. There was opposition to the granting of this application.

CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the established use of this property as a parking lot is not likely to become objectionable to adjoining and nearby property. The Board is of the opinion that the present character or future development of the neighborhood will not be adversely affected. The lot is reasonably necessary and convenient to other uses in the vicinity. It is therefore ORDERED that this application is hereby GRANTED for a period of ONE (1) YEAR subject to the following CONDITIONS:

- a. Permit shall issue for a period of ONE (1) YEAR 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. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- d. All parts of the lot shall be kept free of refuse or debris.
- e. 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.
- f. 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.

Permit shall not be issued until all conditions of this Order are met and complied with, and further, the Board reserves the right to direct revocation of the permit upon a proper showing that any terms or conditions of this Order have been violated.

VOTE:

3-1 (Ruby B. McZier, Esq., William F. McIntosh, Leonard I
McCants, Esq.; Lilla Burt Cummings, Esq. to deny)

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

ATTESTED By:



ARTHUR B. HATTON
Executive Secretary

FINAL DATE OF ORDER:

4-21-77

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.