

Before the Board of Zoning Adjustment, D. C.

Application No. 12318, as amended, of John R. Pinkett, Inc., pursuant to Sub-section 8207.2 of the Zoning Regulations for a special exception under Sections 3104.44 and 3104.52. Applicant requests a special exception to continue operation of a parking lot on Lot 813 and accessory parking on Lot 30 in the R-4 and C-2-A Districts at 1529 - 9th Street and 1513-17 - 9th Street, N. W., Square 397

HEARING DATE: February 22, 1977

DECISION DATE: March 8, 1977

FINDINGS OF FACT:

1. The application was amended to reflect that the address of Lot 30 is 1513-17 - 9th Street, N. W. and not 1507-1517 - 9th Street, N. W. as recited in prior BZA Order No. 11007.

2. The application was further amended to reflect that the relief sought is a continuation of both parking lots and not a continuation of Lot 813 and the establishment of Lot 30.

3. The subject property is located in R-4 and C-2-A Zoning Districts.

4. On December 21, 1971 the Board of Zoning Adjustment in Order No. 11007 granted permission to continue the subject parking lots for five (5) years.

5. There are thirteen (13) spaces in toto and they are used by the employees and clients of John R. Pinkett, Inc. a real estate firm located at 1509 - 9th Street, N.W. and by members of Shiloh Baptist Church (located at 1505 - 9th Street, N. W.) during the evening and on weekends.

6. Over fifty per centum (50%) of the improvements in the block are occupied and used commercially.

7. Prior to 1958 both Lot 30 and 813 were zoned for commercial uses. Approximately 1/4 of the square is presently zoned C-2-A. The remaining 3/4 is zoned R-4. Approximately fifty per centum (50%) of the structures in the 1500 block of 9th Street have first floor commercial uses.

8. The Department of Transportation and Municipal Planning Office recommended approval of the application.

9. There was no opposition to the application.

CONCLUSIONS OF LAW:

Based on the record the Board concludes that the granting of the relief sought herein will not result in any dangerous or otherwise objectionable traffic conditions and the present character and future development of the neighborhood will not be adversely affected. The Board further concludes that the lot is reasonably necessary and convenient to other uses in the vicinity. Accordingly, it is ORDERED that the application is GRANTED for THREE (3) YEARS subject to the CONDITIONS of prior BZA Order No. 11007, which are as follows:

a. Permit shall issue for a period of THREE (3) YEARS, 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. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.

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 and 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.

g. 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:

3-0 (William F. McIntosh, Lilla Burt Cummings, Esq. and Leonard L. McCants, Esq.)

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

ATTESTED By:



ARTHUR B. HATTON  
Executive Secretary

FINAL DATE OF ORDER:

5-27-77

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12319 of Alejandro Palau, pursuant to Sub-section 8207.2 of the Zoning Regulations for a special exception under Sub-section 3101.415, and a variance from the gross floor area requirement of Section 3101.415 pursuant to Sub-section 8207.11. Applicant seeks permission to use the premises as offices for Public Citizen, a nonprofit organization in the R-4 District at 133 "C" Street, S. E., Lot 825, Square 733.

HEARING DATE: March 22, 1977

DECISION DATE: April 6, 1977

DISPOSITION: Application denied by a vote of 3-1 (Ruby B. McZier, Esq., Lilla Burt Cummings, Esq., and William F. McIntosh to deny, Leonard L. McCants, Esq., to grant)

FINAL DATE OF ORDER: June 24, 1977

ORDER

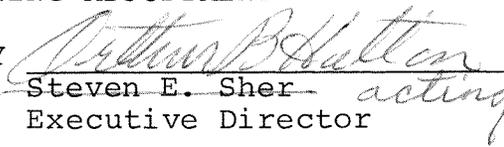
Upon consideration fo the applicant's Motion for Reconsideration dated July 6, 1977 (date received by Board of Zoning Adjustment), the Board finds that the Motion fails to state an acceptable basis of error on the part of the Board to support a Motion for Reconsideration. It is therefore ORDERED that the Motion for Reconsideration be DENIED.

DECISION DATE: August 3, 1977

VOTE: 4-1 (Charles R. Norris, William F. McIntosh, Dr. Walter B. Lewis, Chloethiel W. Smith to deny Reconsideration, Leonard L. McCants, Esq., to grant Reconsideration)

BY ORDER OF D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY

  
Steven E. Sher acting  
Executive Director

FINAL DATE OF ORDER: 8-8-77