

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12376 of Vito Palumbo pursuant to Sub-section 8207.2 of the Zoning Regulations for a special exception (Sub-section 4101.41) to permit continuation of a parking lot in the SP District at 816 4th Street, N.W., Square S-516, Lot 840

HEARING DATE: May 17, 1977

DECISION DATE: May 17, 1977 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located in an SP Zone District.
2. The property is presently operating as a parking facility pursuant to this Board's previous Order 10969 and Certificate of Occupancy B-82564.
3. The applicant proposes the continuation of a parking facility.
4. This lot holds fourteen (14) cars, and serves the parking needs of surrounding commercial and residential facilities.
5. The Municipal Planning Office by report dated May 12, 1977, recommended a four (4) year approval of this application.
6. There was no opposition to the granting of this application.

CONCLUSIONS OF LAW AND OPINION:

The Board is of the opinion that the continuation of this parking facility will not create any dangerous or otherwise objectionable traffic conditions. The Board concludes that the present character and future development of the neighborhood will not be adversely affected. The lot is reasonably necessary and convenient to the other uses in the vicinity. It is therefore ORDERED that this application is hereby GRANTED subject to the following conditions:

- a. Permit shall issue for a period of four (4) years 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. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- e. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- f. 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.
- g. 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.
- h. 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.
- i. The appellant shall install some kind of protecting wall on rail to stop the automobiles before hitting the adjacent walls.

Permit shall not issue 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: 3-0-1 (William F. McIntosh, Charles Norris, Leonard L. McCants, Esq., Lilla Burt Cummings, Esq., to grant for two (2) years)

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

ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 19 JUL 1977

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.