

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12406 of William Doolan, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception to continue and establish a parking lot (Paragraph 4101.41) in the SP District at premises 1211 - 13th Street, N.W., (Square 281, Lots 804 and 45).

HEARING DATE: May 24, 1977

DECISION DATE: June 7, 1977

FINDINGS OF FACT:

1. The subject property is located in an SP Zone District.
2. Lots 804 and 45 in Square 281 presently constitute a valid non-conforming use as a parking lot (having been established prior to the adoption of the Zoning Regulations in 1958) and would not require Board's approval for continuance. Occupancy permit No. A-31528 was issued May 24, 1955 to cover this use. The application was therefore amended to request continuation of a parking lot on Square 281, Lot 804 only.
3. Parking was established on Lot 804 by this Board in Order No. 11663 dated June 25, 1974.
4. The subject property is surrounded by small retail establishments, offices and apartment buildings.
5. Lot 804 is approximately 2996 square feet in area, but is contiguous to lots 45 and 803, and is operated as a single parking lot with those lots. The total area is approximately 8988 square feet.
6. The Department of Transportation by report dated May 3, 1977 recommended approval of this application.
7. The Municipal Planning Office by report dated April 21, 1977, recommended approval of this application. MPO noted that the request of the Department of Transportation that the applicant construct a suitable driveway on 13th - Street, had been met.

8. There was no opposition to the granting of this application.

CONCLUSIONS OF LAW AND OPINION:

Based on the above findings of fact, and the evidence of record, the Board concludes that the applicant has complied with the provisions of Article 74 of the Zoning Regulations. The Board is of the opinion that the parking lot has had and will have no adverse affect upon the present character or future development of the neighborhood. The Board further concludes that no objectionable traffic conditions will result from this use. The lot is reasonably necessary and convenient to the surrounding neighborhood. It is therefore ORDERED that his application is hereby GRANTED subject to the following conditions:

- a. Approval shall be for a period of three (3) years, which approval may be renewed by the Board upon the filing of a proper application.
- b. All areas devoted to driveways, access lanes, and parking area 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.

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

VOTE: 4-0 (Leonard L. McCants, Esq., William F. McIntosh, Charles Norris and Dr. Walter B. Lewis)

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

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: _____

1 AUG 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.