GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Request for Modification of Plans in Application No. 12407 of 4701 Associates, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.411 to establish an accessory parking lot in the R-1-A District at the premises 3227 Chesapeake Street, N.W., (Square 2037, Lot 827).

HEARING DATE: April 26, 1977
DECISION DATE: June 7, and July 20, 1977
BOARD MEMBERS PRESENT: William F. McIntosh, Charles R. Norris and Leonard L. McCants
DISPOSITION: Application GRANTED with CONDITIONS by a vote of 3-0 (William F. McIntosh, Charles R. Norris and Leonard L. McCants to grant).

FINAL DATE OF ORDER: August 2, 1977

ORDER

The applicant has submitted a request to the Board to modify the site plan, is revised by the Board, as to the landscaping element. The applicant proposes to substitute Japanese Holly for Japanese Yews . The basic elements for the revised plans remain unchanged, no variances are required, the basic zoning computations are unchanged and the application continues to comply with all the remaining conditions as set forth in the order dated August 2, 1977.

It is therefore ORDERED that the substitution of Japanese Holly for Japanese Yews is hereby APPROVED. In all other respects the approval granted by BZA Order No. 12407, dated August 2, 1977 remains unchanged.

VOTE: 5-0 (William F. McIntosh, Walter B. Lewis, Charles R, Norris, Chloethiel Woodard Smith and Leonard L. McCants).

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

ATTESTED BY: _____
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 16 NOV 1977

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 12407, of 4701 Associates, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception (Sub-section 3101.411) to permit an accessory parking lot in the R-1-A District at premises 3227 Chesapeake Street, N. W., (Square 2037, Lot 24).

HEARING DATE: April 26, 1977

DECISION DATES: June 7, 1977, July 20, 1977

FINDINGS OF FACT:

1. The subject property is located in an R-1-A District.

2. The subject lot has a frontage of 63.83 feet on Chesapeake Street and a depth of 184.36 feet widenting to 91.96 feet in the rear. The lot abuts a 20-foot wide public alley on its west and north boundaries and the lot contains an area of 12,723 square feet of land.

3. The parking area will contain spaces for 25 automobiles and will provide added parking spaces for the 57-unit apartment building across the alley at 4701 Connecticut Avenue. The apartment building at 4701 Connecticut Avenue is registered with the District of Columbia Department of Housing and Community Development as a proposed condominium project.

4. Applicant will utilize the 20-foot wide public alley as access to the lot and will provide a 19-foot wide strip along the west and north sides of the lot in which to park the cars. The balance of the lot to the east will be landscaped.

5. Applicant states that the portion of the lot used for parking is blacktopped and submitted affidavits from neighborhood residents and the representative of a former owner that the lot has been used for accessory parking since about 1950 and that the parking spaces on the lot were surfaced for parking in approximately 1955.

6. The Municipal Planning Office recommended approval

of this application by report dated April 21, 1977, subject to certain enumerated conditions. The Municipal Planning reported that "It is impractical to relocate the accessory parking spaces on the same lot as the apartment building due to the lot coverage of the building and its placement on the lot. The spaces are located within 200 feet of the lot improved with the apartment building from which it is separated by an alley."

7. The Department of Highways and Traffic by memorandum dated May 12, 1977 offer no objection to the granting of this application.

8. The applicant requested a waiver of the requirements of Paragraph 7404.21 to provide a masonry wall. The buffering effect of the wall is proposed to be obtained by the provisions of a natural landscape screen.

CONCLUSIONS OF LAW AND OPINION:

The Board is of the opinion that it is economically impracticable to locate this parking within the principal building or on the same lot on which such building is located due to substantial improvements on the lot and due to the restricted size of the lot. In the Board's opinion, these parking spaces are so located and all facilities in relation thereto are so designed that they are not likely to become objectionable to adjoining or nearby property because of noise, traffic or other objectionable conditions. The Board concludes that the requirement to provide a masonry wall can be waived, and that a sufficient natural landscape screen will be required. It is hereby ORDERED that this application be GRANTED subject to the following conditions:

a. The lot shall be improved and maintained and landscapeing shall be provided in accordance with the site plan marked as Exhibit PH-1, as revised by the Board.

b. The lot shall be limited to twenty-five parking spaces.

c. Prior to the issuance of a Certificate of Occupancy the applicant shall enter into the covenant marked as Exhibit PH-2, with the District of Columbia and record such covenant in the Land Records of the District of Columbia.

d. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.

e. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.

f. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.

g. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.

h. 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.

i. 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.

j. 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.

k. The appellant shall install some kind of protecting wall or 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 (William F. McIntosh, Charles R. Norris, and Leonard L. McCants, Esq., to grant).

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

ATTESTED By: _____
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 2 AUG 1977

THAT THIS 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.