

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12469 of Georgetown University, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4101.41 to establish a parking lot in the SP District at the premises 412-416 - 5th Street, N.W., (Square 489, Lots 815 and 832).

HEARING DATE: September 21, 1977

DECISION DATE: September 21, 1977 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is vacant and located in an SP Zone District.
2. The applicant proposes to use the subject property for parking. The requested parking lot will be an extension of the existing lot in the subject square which abuts the proposed lot on three sides. Approval was given for establishment of the existing lot pursuant to this Board's Order 10961, and continued use with Order 11882.
3. This Board's Order 11882 (which permitted the continued use of a parking facility) includes lots 19,20,803,804,805,806,807, 808,810,813,814,828,829 and 830, known as lot 33, in the subject Square 489.
4. The existing parking facility has upon it, an attendant's shelter, which the applicant proposes will service the additional requested lots.
5. The applicant proposes to use the existing curb cuts on 5th and 6th Streets, with the hours of operation from 7:00 a.m. to 6:00 p.m., Monday through Friday.
6. The subject lot is bordered on the south by the Office of the Recorder of Deeds. To the east across 5th Street and to the northeast are the local court buildings. To the north are several office uses along "E" Street including the Salvation Army offices. To the northeast is the Hecht Company Department Store and to the west are the new Bicentennial and Patrick Henry Office buildings.

7. The parking use is compatible with the general office use character of the area and serves a parking need in the area.

8. The applicant has an application for a change of zoning pending before the Zoning Commission, and upon approval, plans the erection of an office building. The proposed parking is therefore offered as an interim use.

9. The Department of Transportation report dated August 19, 1977, recommended a four year approval of this application.

10. The Municipal Planning Office by report dated August 15, 1977, recommended approval of this application not to exceed four years.

11. There was no Advisory Neighborhood Commission report on this application.

12. There was no opposition registered at the public hearing of this application.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing Findings of Fact and the intent and purpose of the Zoning Regulations for the SP District, the Board concludes that the applicant has met the requirements of Paragraph 4101.41. The Board is of the opinion that the addition of this parking facility to the abutting lot will not become objectionable to adjoining or nearby property because of noise, traffic, or other conditions, and that the parking lot will not adversely affect the present character or future development of the neighborhood. The lot is reasonably necessary and convenient to other uses in the vicinity. It is therefore ORDERED that this application is hereby GRANTED subject to the following CONDITIONS:

1. Approval for this lot shall expire on April 23, 1980 to coincide with the termination date of the existing parking lot approved by BZA No. 11882.
2. There shall be no new curb cuts for the parking lot. Access shall be by way of the existing driveways provided for the previously approved lot on 5th and 6th Streets.

3. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
4. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.
5. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
6. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
7. 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.
8. 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.
9. 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.
10. The applicant shall install some kind of protecting wall or rail to stop the automobiles before hitting the adjacent walls.

VOTE: 4-0 (Charles R. Norris, Chloethiel Woodard Smith, Leonard L. McCants, John G. Parsons to grant, William F. McIntosh not voting, not having heard the case).

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 10 NOV 1977

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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.