

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12490 of Oliver A. Cowan, Jr., pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3104.44 to continue the use of a parking lot for five years in the R-4 District at the premises 3418 Brown Street, N.W., (Square 2621, Lot 367).

HEARING DATE: December 13, 1977

DECISION DATE: January 4, 1978

FINDINGS OF FACT:

1. The subject property is located at 3418 Brown Street, N.W. and is in an R-4 District.

2. The subject parking lot is presently operated pursuant to BZA Order No. 10490, dated November 22, 1970, on which date permission was granted for a period of five years.

3. By BZA Order No. 12192, dated December 20, 1976, the application to continue the use of the subject parking lot was DISMISSED W/O PREJUDICE for failure of the applicant to appear at the hearing. By BZA Order No. 12192, dated July 15, 1977 applicant's motion for reconsideration was DENIED.

4. The area of the subject site is 10,440 square feet. It has thirty-six parking spaces with many spaces given name designations and assigned to specific persons.

5. The subject lot is a non-attendant lot bordered in front by a three foot wooden fence. It serves the residents in the immediate area. A monthly fee of fifteen dollars is charged for each space. Customers park around-the-clock.

6. Surrounding the lot to the north, south and east directions are row houses with porches. To the west, separated by a twenty foot alley are the rear yards of residences which front on Oakwood Terrace.

7. The Municipal Planning Office, by report dated September 22, 1977, recommended approval of the application on the condition that the lot was cleared and kept free of trash and debris.

8. There was a petition on record of neighbors who did not oppose the existence of the parking lot but did oppose the manner in which it was maintained.

9. Advisory Neighborhood Commission-1E filed no recommendation on this application.

10. The applicant intends to develop the property with row-houses in the near future.

CONCLUSIONS OF LAW:

The Board is of the opinion that the continued use of this parking facility is not likely to become objectionable to adjoining and nearby property nor will it adversely affect the present character or future development of the neighborhood. Also, the lot is reasonably necessary and convenient to other uses in the vicinity. Accordingly it is ORDERED that the application is GRANTED SUBJECT to the following CONDITIONS:

- a. Permit shall issue for a period of ONE YEAR 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. The applicant shall keep the lot clear and free of refuse and debris on a regular basis.
- c. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- d. An eight inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- e. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.

