

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12553 of Louis P. Gatti and High Gittinger, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4101.41 to continue the use of a parking lot for five years in the SP District at the premises 732-738 5th Street, N.W., (Square 486, Lots 21-25).

HEARING DATE: January 1, 1978
DECISION DATE: February 1, 1978

FINDINGS OF FACT:

1. The subject property is located on the west side of 5th Street between G and H Street, N.W. and is in an SP Zone District.
2. The subject property is presently used as a Commercial parking facility pursuant to this Board's previous Order No. 11129 dated November 14, 1972.
3. The applicant proposes the continuation of this parking facility for a period of five years.
4. The lots in this application total approximately 10,625 square feet in area. Nearly all of the northern half of this square is devoted to surface commercial parking lots. The remainder of the square is devoted to a variety of uses including a barber shop, a dry cleaning establishment, a grocery store, carry-out restaurant and a printing shop. Other uses in the area include the General Accounting Office and St. Mary's Church.
5. The SP District in which this property is located is generally bounded by 6th, Eye, 3rd and D Streets, N.W., and includes Judiciary Square.
6. The parking facility accomodates approximately forty-eight cars, and is an attended lot.

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

8. The Department of Transportation by report dated December 12, 1977, recommended that this application be approved for a period not to exceed four years.

9. The Municipal Planning Office by report dated December 15, 1977, recommended that the application be approved for a period of four years, on the grounds that the continuation would not be "objectionable to adjoining or nearby properties nor.... would it adversely affect present character or future development of the area".

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

CONCLUSION OF LAW AND OPINION:

Based on the above Findings of Fact and the evidence of record, the Board concludes that the requested parking facility is so located and all facilities there of are so designed that they are not likely to become objectionable to adjoining and nearby property because of noise, traffic, or other objectionable condition. The Board is of the opinion that the granting of this application will not adversely affect the present character and future development of the neighborhood. Accordingly, it is ORDERED that this application is GRANTED subject to the following conditions:

- a. Approval shall be for a period of (2) two years.
- 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 therefore shall be permitted to project over any lot or building line or on or over the public space.

f. 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.

g. Any lighting used to illuminate the parking lot or its accessory buildings shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

VOTE: 4-0 (William F. McIntosh, 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: 3 MAR 1978

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.