

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12594 of Madana Realty Company, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3104.44 to continue use of a parking lot in the R-5-B District at the premises 2301 N Street, N.W. Square 35, Lots 11-25.

HEARING DATE: February 22, 1978

DECISION DATE: February 22, 1978 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located in an R-5-B Zone District at the northwest corner of 23rd and N Streets, N.W.
2. The subject property is presently operating as a parking facility serving employees of U.S. News and World Report which is located across the street. This facility has existed since 1971 under special exceptions granted by this Board. The last approval, BZA Order No. 11182, is dated March 13, 1973.
3. The parking lot has fifty-seven spaces. It is bounded by tennis courts and Rock Creek Park land on the northside, and 23rd, 24th (which is closed) and N Streets on the remaining three sides.
4. The parking lot is covered with an all-weather impervious surface, and is surrounded by a wire mesh fence and landscaping. The lot is well maintained.
5. The Municipal Planning Office by report dated February 17, 1978, recommended approval of this application, on the ground that the lot is reasonably necessary and convenient to the employees of U.S. News and World Report and that the lot does not create any dangerous or otherwise objectionable conditions. The Board so finds.

6. The application was referred to the Department of Transportation on February 9, 1978. No report from the Department was received.

7. Advisory Neighborhood Commission 2B did not file a report on this application, in the record, prior to the Board's decision.

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

CONCLUSIONS OF LAW AND OPINION:

Based on the above Findings and the evidence of record, the Board concludes that the continuation of this parking facility will not create any dangerous or otherwise objectionable traffic conditions. The present character and future development of the neighborhood will not be adversely affected. The Board concludes that 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:

- a. Approval shall be for a period of five 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 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.

i. Landscaping plans must be approved by the Department of Highways and Traffic.

j. Use of this lot shall be restricted to private vehicles. No commercial vehicles or trucks.

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

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

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 23 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.