

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12623 of Marshall B. Coyne 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 in the R-5-B District at the rear of premises 925 25th St., N.W., (Square 28, Lot 878).

HEARING DATE: April 19, 1978  
DECISION DATE: May 3, 1978

FINDINGS OF FACT:

1. The subject lot is located at 925 25th St., N.W. in Square 28 which is bounded by 24th, 25th, I and K Streets and New Hampshire Avenue, N.W. The parking lot is bounded by public alleys along three fourths of its perimeter.
2. To the south of this lot and separated by a ten foot alley are the rear yards of a group of row dwellings which front on I Street, N.W. West of the parking lot is a twenty foot wide public alley and the rear yards of other houses which front on 25th St., N.W. North of the property is a thirty foot alley and a nine story apartment building. In addition there are a number of small row dwellings on alley lots in the interior of Square 28.
3. The subject lot is approximately 11,900 square feet in area and accomodates twenty-three cars.
4. The applicant seeks to continue the parking lot which serves as accessory parking for an apartment house located at 925 25th Street, N.W.

5. The applicant requests permission to continue the use of this private parking lot for the convenience of the tenants located at 925 25th Street, N.W. Its use is non-commercial.

6. The subject parking lot was first permitted by the BZA under BZA Order No. 6699 in 1962. BZA Order No. 11744 dated May 12, 1975 granted the applicant a conditional continuance of the subject lot for a period of three years.

7. The lot is paved, lined, fenced and appears to comply with all the conditions of the Boards previous order except for the fence which is in need of major repair or replacement.

8. The report from the Municipal Planning Office, dated April 14, 1978 recommended that the application be approved on the grounds that the continued operation of the lot will not adversely affect the present character or future development of the neighborhood. The Board so finds

9. The Department of Transportation in its memorandum dated March 6, 1978, stated that upon review of the application no adverse impacts have been identified.

10. There was no recommendation from ANC 2A.

11. Opposition was raised by a home owner who lives within 200 feet of said property. The homeowner requested that the application be granted only on the condition that the applicant repair or replace the fence that surrounds the property and that no parking be permitted in the driveway between the open lot at 919 25th Street and the carriage house to the west.

12. The applicant agreed to repair the fence and to instruct residents of 925 25th not to park in the driveway abutting the property located on 917 25th St.

CONCLUSIONS OF LAW AND OPINION

Based on the record including the report from the Municipal Planning Office and the memorandum from the Department of Transportation, the Board concludes that the operation of the lot has not created dangerous or objectionable traffic conditions and the continuance of this parking lot for a limited period will create no dangerous or otherwise objectionable traffic conditions nor will the present and future development of the neighborhood be affected adversely. The subject lot, is reasonably, necessary and convenient to the apartment building located at 925 25th St.

Accordingly, it is ordered that the application granted subject to the following conditions:

- (a) Approval shall be for a period of three years which shall be subject to renewal at the discretion of the Board upon the filing of a new application in the manner prescribed by the Zoning Regulations.
- (b) The applicant shall repair and restore the fence to its original condition and maintain it in a suitable manner.
- (c) Parking shall be restricted to the twenty-three spaces as shown on the parking plan marked as Exhibit 6 in the BZA Record. No vehicle shall be permitted to park in any driveway or accessway on the lot.

- (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) Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- (f) An eight inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- (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. Landscaping plans must be approved by the Department of Highways and Traffic.
- (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 use 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.

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The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.

VOTE: 4-0 (Charles R. Norris, William F. McIntosh,  
Chloethiel Woodard Smith and Leonard L. McCants)



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STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 15 JUN 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.