

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12637 of Coleman Family Trust-Fairfax, 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-D District at the premises 2110-2112 Massachusetts Avenue, N.W., (Square 67, Lots 817,822,823 and 25).

HEARING DATE May 17, 1978

DECISION DATE: May 17, 1978 (Bench Decision)

FINDINGS OF FACT:

1. The subject lot is located on the south side of Massachusetts Avenue, N.W., between 21st and 22nd Streets. The subject property fronts on Massachusetts Avenue and is bounded on the west and south by public alleys and on the east by the Fairfax Hotel.
2. The applicant was granted permission to operate the subject parking lot under BZA Order No. 6707-6708, dated April 23, 1962 for a period of five years. A continuance was granted for said property under BZA Order No. 11217-18 for five years. The subject lot has been in operation for approximately fifteen years.
3. The applicant requests permission to continue the use of this parking lot for the convenience of guests of the Fairfax Hotel. Space is also available for commuter parking on a fee basis.
4. The subject lot has a capacity of fifty cars. The lot is used for overnight as well as daytime parking. There is an attendant on duty from 8:00 a.m. to 12 midnight, and the lot is patrolled twenty-four hours, by the Fairfax Hotel security staff.

5. The lot is screened from the street by a brick wall and landscaped area. Access to the lot is by way of a fifteen foot wide public alley from Massachusetts Avenue.

6. The lot is paved and has wheel stops adjacent to the Fairfax Hotel. At the time of site inspection by the Department of Transportation on April 5, 1978, the subject lot was clean well kept and in good condition.

7. The Department of Transportation in a memorandum dated April 24, 1978, recommended that the application be granted for no longer than a four year period at which time it would be re-evaluated to determine the accessibility by transit of the facilities served by the subject parking lots.

8. There was no recommendation submitted from ANC 2B.

9. The Dupont Circle Citizens Association requested a time limit of two years be placed on the application. The Association believes that the neighborhood is changing. The Association had no opposition to the case.

CONCLUSIONS OF LAW:

Based on the record including 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 that the continuance of this parking lot will create no dangerous or otherwise objectionable traffic conditions nor will the present character and future development of the neighborhood be affected adversely. The subject lot at present is reasonably necessary and convenient to the Hotel for its activities. Accordingly, it is ORDERED that the application is 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 proper application in the manner prescribed by the Zoning Regulations.

- 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. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- d. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- 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. Landscaping plans must be approved by the Department of Highway and Traffic.
- 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.

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

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

ATTESTED BY: Steven E. Sher  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 26 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.