

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12669 of Ruby's Restaurant, Inc., 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 in the SP District at the premises 518 H Street, N.W. Square 486, Lot 36).

HEARING DATE: June 21, 1978
DECISION DATE: July 5, 1978

FINDINGS OF FACT:

1. The subject property is located in an SP ~~Zone~~ District at 518 H Street, N.W.
2. The subject property acquired by the applicant in August of 1976, was first approved by this Board's Order 12321 of April 22, 1977.
3. The applicant proposes the continuation of the subject property as a parking facility.
4. The subject property is approximately 4,250 square feet in area and is located at the southeastern corner of the intersection of 6th and H Streets, N.W.
5. The lot is currently operating as a commercial facility from 7:00 a.m. to 6:00 p.m. with the exception of six (6) spaces to be reserved exclusively for customers of Ruby's Restaurant, Inc.
6. The lot accommodates approximately twenty-five vehicles.
7. The subject property is approximately 1,000 feet from the Gallery Place Metrorail Station located at 7th and G Streets, N.W.

8. The Department of Transportation, by memorandum dated June 21, 1978, recommended that approval of the lot not exceed a four year period, so that the accessibility by mass transit may be reviewed again at that time.

9. There was no report from Advisory Neighborhood Commission 2C on this application.

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

CONCLUSIONS OF LAW AND OPINION:

Based on the Findings of Fact and the evidence of record, the Board is of the opinion that the uses of this parking lot are so located and designed that they are not likely to become objectionable to adjoining and nearby property because of noise traffic, or other objectionable conditions. The lot is situated at the intersection of 6th and H Streets, N.W. and is adjacent to public alley which will provide access to the lot. Thus, there will be no requirements for curb cuts on either 6th Street or H Street. The Board further concludes that the present character and future development of the neighborhood will not be adversely affected by the establishment of this parking lot. It is therefore ORDERED this application is hereby GRANTED for a period of TWO (2) YEARS subject to the following CONDITIONS:

- a. Approval shall be for a period of TWO (2) years which may be renewed at the discretion of the Board upon the filing of a proper application.
- b. This lot will operate as a commercial facility from 7:00 a.m. to 6:00 p.m. with the exception of six (6) spaces to be reserved for customers of Ruby's Restaurant, Inc.
- c. Between the hours of 6:00 p.m. to 4:00 a.m., this lot is exclusively for use by customers of Ruby's Restaurant, Inc.
- 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. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- f. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- g. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- 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.
- 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 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: 3-0 (William F. McIntosh, Leonard L. McCants to grant, Walter B. Lewis to grant by proxy; Chloethiel Woodard Smith and Charles R. Norris not voting, not having heard the case)

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

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

FINAL DATE OF ORDER: JUL 21 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLES 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.