

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12673 of Jonathan Woodner Co., 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-4 District at the premises 1634 Oak Street, N. W., (Square 2621, Lots 353, 354, 840, 358 and parts of 352 and 839).

HEARING DATE: June 21, 1978

DECISION DATE: July 5, 1978

FINDINGS OF FACT:

1. The subject property is located in an R-4 Zone District at 1634 Oak Street, N. W.

2. The subject property is presently operating as a parking facility pursuant to this Board's Order 12438, dated August 24, 1977. The applicant proposes the continuation of this facility.

3. The parking facility was originally established in 1961, and serves exclusively the tenants of the apartments in the Woodner property at 3636 - 16th Street, N.W. The tenants are charged for parking.

4. This property is operated as a twenty-four hour secured lot, seven days per week. There are ninety-eight parking spaces.

5. The parking facility is located on the south side of Oak Street, and abuts a cul-de-sac. To the north on the opposite side of the street is a parking area and the side of the Woodner Hotel. To the west is 17th Street and to the east adjoining the lot are attached residences. To the east at a higher elevation, is Oak Wood Terrace, a residential neighborhood.

6. Pursuant to Sub-section 3104.44 of the Zoning Regulations, on April 21, 1978, this application was referred to the Department of Transportation for its review and report. By memorandum dated May 12, 1978, the Department reported that it did not have sufficient information from which to make a report.

7. At the time of the Public Hearing the Municipal Planning Office reported verbally that a field inspection found the lot free of trash and debris and in the process of resurfacing.

8. Testimony given in opposition by the 17th Street Neighborhood Council was based on the level of trash and debris on the bottom of the hillside of the parking facility, which is the applicant's property.

9. There was no report from Advisory Neighborhood Commission 1-E

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

CONCLUSIONS OF LAW AND OPINION:

Based on the above findings of fact and the evidence of record, the Board is of the opinion that the lot, if properly controlled, will not have an adverse impact on the surrounding neighborhood. The Board further concludes that no dangerous or otherwise objectionable traffic conditions shall result from the continuation of this parking facility; the present character and future development of the neighborhood will not be affected adversely; and the parking lot is reasonably necessary and convenient to other uses in the vicinity. It is therefore ORDERED that the application is hereby GRANTED subject to the following conditions:

- a. Approval shall be for a period of ONE YEAR.
- b. The applicant shall not enlarge the existing parking area beyond its present status.
- c. Debris and trash will be removed from receptacles placed in the parking lot and in an around the parking areas.
- d. The safety lights presently installed from the Woodner roof are confined to the surface of the parking area.
- e. Weeds and bushes on Lot 351 and part of 352 near "17th" Street will be trimmed during the summer season.
- f. The applicant will continue to exterminate the area around the Woodner and the parking lot, including the vacant space in lots 351 and 352 for rats.
- g. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- h. An eight inch coping shall be erected and maintained along each side of all driveways to protect the public space.

- i. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- j. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- k. 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.
- l. 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.
- m. 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 (Charles R. Norris, William F. McIntosh to grant, Walter B. Lewis to grant by proxy; Chloethiel Woodard Smith not voting, not having heard the case, Leonard L. McCants not voting, having recused himself)

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

ATTESTED By:



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 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.