

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12685 of Vermont Avenue Baptist Church, 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 1601-03, 1607-09, rear of 1605 - 12th St., and 1117 Que Street, N.W., (Square 309, Lots 1, 813, 812, 801, 5 and 44).

HEARING DATE: August 16, 1978
DECISION DATE: August 16, 1978

FINDINGS OF FACT:

1. The subject property is located in an R-4 zone District at 1601-03, 1607-09, rear of 1605-12th St., and 1117 Que St., N.W.
2. The subject lot presently serves as accessory parking for the Vermont Avenue Baptist Church, which is located at a distance of approximately 250 feet from the Church. The lot is for the exclusive use of the Church membership and visitors to the Church on Sundays and some weekdays.
3. The subject parking lot is located at the northeastern corner of 12th and Q Streets, N.W. The parking lot is in a U-shape, going around the apartment building located at 1605 12th St., N.W. The apartment house has three units and is occupied. The parking lot as well as the apartment house is owned by the Church.
4. This property was last approved as a parking facility pursuant to this Board's previous Order 12382, dated July 21, 1977. However, the applicant never obtained a Certificate of Occupancy following the Board's previous Order and that approval is therefore no longer valid.

5. The applicant proposes to continue the use of the property as a private parking lot. The previously issued Certificate of Occupancy was authorized by the Board in BZA Order No. 11810, dated February 18, 1975.

6. The Board finds that the application as presently filed remains virtually the same as the previous case.

7. The application complies with all of the conditions of the previous order.

8. At the public hearing of this application, the MPO testified that a field inspection was made and that the conditions of the subject property remained the same as when previously granted by BZA Order No. 12382.

9. The Department of Transportation by memorandum dated July 28, 1978, reported that no adverse impact had been identified.

10. Advisory Neighborhood Commission 2C, by letter dated August 9, 1978, raised no objection to the application.

11. There was no opposition to the application.

CONCLUSION OF LAW AND OPINION:

Based on the above Findings of Fact and the evidence of record, the Board concludes that the application as filed is the same as previously granted in BZA Order 12382. The Board further concludes that the parking lot is reasonably necessary to the operation of the church. The Board is of the opinion that the granting of this application would not create any dangerous or otherwise objectionable conditions, or affect adversely the present character and future development of the neighborhood. The Board is also of the opinion that the granting of this special exception will be in harmony with the general purpose and intent of the Zoning Regulations and maps. It is therefore ORDERED that the application is GRANTED subject to the following CONDITIONS:

- a. Approval shall be for a period of four (4) years, commencing on July 21, 1977, pursuant to this Board's prior Order 12382, which may be renewed at the discretion of the Board upon the filing of a proper application.
- 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.

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VOTE: 5-0 (Charles R. Norris, William F. McIntosh,
Chloethiel Woodard Smith, John G. Parsons and
Leonard L. McCants)

FINAL DATE OF ORDER: 21 SEP 1978

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

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

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.