

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12723, of Melvin L. Clark, Jr., 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 813 - 4th Street, N.W., (Square 528, Lots 805, 806, 807, 808, 813 and 814).

HEARING DATE: August 16, 1978
DECISION DATE: September 6, 1978

FINDINGS OF FACT:

1. The subject property is located in an SP Zone District on the east side of 4th Street, N.W., between Massachusetts Avenue and I Street.
2. The subject property is currently operating as a parking facility pursuant to this Board's previous Order No. 12137, dated June 25, 1976.
3. The applicant proposes the continuation of this property as a parking facility for a period of five years.
4. The Municipal Planning Office, by testimony at the public hearing, revealed that the lot is not kept free of trash and debris, and parking is allowed on an unpaved portion of the public space. By conditions imposed herein, the Board can require the applicant to prevent these conditions from occurring.
5. The Department of Transportation, by report dated September 18, 1978, recommend approval of the application for a period not to exceed four years to allow for re-evaluation of the lot at that time to determine its accessibility by mass transit.
6. The subject lot is approximately 8,200 square feet in area. The subject site is surrounded by a mixture of residential and office uses, including the General Accounting Office and the Government Printing Office. The lot is generally used for all-day commuter parking serving the surrounding uses.
7. There was no opposition to the granting of this application.
8. There was no report from Advisory Neighborhood Commission 2C on this application.

CONCLUSIONS OF LAW AND OPINION:

Based on the above Findings of Fact and the evidence of record, the Board concludes that the present operation has not been objectionable and that the continuation of this parking facility is so located that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic or other objectionable conditions. The present character and future development will not be adversely affected. It is therefore ORDERED that this application is hereby GRANTED subject to the following CONDITIONS:

- a. Approval shall be for a period of four years from the date of expiration of the previous Certificate of Occupancy which may be renewed at the discretion of the Board upon the filing of a proper application.
 - b. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
 - c. 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.
 - 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 inch coping shall be erected and maintained along each side of all driveways to protect the public space.
 - f. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
 - 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.
-

Application No. 12723
Page 3

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

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

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

FINAL DATE OF ORDER: 12 OCT 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FORAA 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.