

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12741 of Leonard R. Viner, 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 704-712 Lamont Street, N.W. (Square 2892, Lots 61,62,906,867 and 689).

HEARING DATE: September 20, 1978

DECISION DATE: October 4, 1978

FINDINGS OF FACT:

1. The subject site is located in an R-4 District and is known as 704-712 Lamont Street, N.W.
2. The subject site is 7,300 square feet in area with space to accomodate nineteen vehicles.
3. The subject site is adjoined to the west by row houses. To the east the subject site is separated by an alley from a tire company, a dry cleaning plant and a five story office building.
4. The subject site is presently being used as a parking lot and has been in operation for fourteen years.
5. By Board of Zoning Adjustment Order No. 11180 dated March 15, 1973 the applicant was granted a continuation of the parking lot for five years.
6. The applicant proposes to continue the use of the subject site as a parking lot for five years.
7. The subject lot serves primarily the employees of a five story office building occupied by Federal Government employees across from the subject site.
8. The lot is a non-attendant lot and maintenance of the lot is the responsibility of the General Services Administration.

9. On August 24, 1978 the Municipal Planning Office made a site inspection and found that substantial trash and debris had been allowed to accumulate, that a tireless abandoned automobile was located on the facility, that individual parking spaces were not delineated by lines or markings contributing to the haphazard manner in which cars were parked, and that landscaping is needed but not provided to enhance and preserve the residential character of the neighborhood.

10. By report dated September 14, 1978 the Municipal Planning Office, recommended that the application be conditionally approved for a period of one year provided that the following conditions are complied with: 1. that the lot is cleaned of trash and debris, 2. that all individual parking spaces be clearly delineated. 3. that the abandoned automobile be removed and 4. that landscaping be provided to partially screen the lot from the public view. The Municipal Planning Office reported that if these conditions are not complied with the subject facility will adversely affect the present character and future development of the neighborhood.

11. The application was referred to the Department of Transportation on July 13, 1978 for their recommendation. No report was received.

12. There was no opposition to the case.

CONCLUSIONS OF LAW:

Based on the record and the above findings of fact the Board concludes that the subject parking lot is reasonably located and necessary for the employees at the Government building across from the subject site. The Board concludes that the subject lot is so located that it is not likely to become objectionable to neighboring property owners because of noise traffic or other objectionable conditions. The Board notes that the applicant has failed to fully comply with all the terms of the previous order, such as the marking off of the parking spaces and keeping the lot free from trash and debris. The Board stresses the importance of complying with all conditions of its order and failure to do so will result in revocation of the Certificate of Occupancy. The Board concludes that the granting of this application will be in harmony with the general purposes and intent of the zoning regulations and maps. Accordingly, it is ordered that the application is GRANTED SUBJECT to the following CONDITIONS.

- a. Approval shall be for a period of ONE YEAR 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. The applicant shall clean the lot and remove all the trash and debris prior to the issuance of a new Certificate of Occupancy. Thereafter, the applicant and/or his tenants shall be responsible to keep the lot clean and well-maintained on a daily basis.
- c. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- d. An eight inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- e. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- 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. 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.
- h. 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.
- i. Any lighting use 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, Charles R. Norris and Leonard L. McCants to grant, Chloethiel Woodard Smith not voting, not having heard the case)

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

ATTESTED BY: \_\_\_\_\_

*Steven E. Sher*

STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 2 NOV 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