

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12742 of the Trustees of Amherst College, 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 6 and 8 Third Street, S.E., (Square 787, Lot 810).

HEARING DATE: September 20, 1978

DECISION DATE: October 4, 1978

FINDINGS OF FACT:

1. The subject property is located in an R-4 District on the east side of Third Street, S.E. between East Capitol and A Streets, S.E.

2. The property is currently being used as a parking lot.

3. The applicant proposes to continue the use of the subject premises as a parking lot.

4. By BZA Order No. 10836, dated August 23, 1971, the Board granted permission for operation for a period of five years. By BZA Order No. 11899, dated June 19, 1975, the Board granted a continuation of the parking lot for three years.

5. The subject property contains a total of nine spaces with four spaces used by the Folger Library and five spaces leased to the American Meteorological Society, both of which are located in the immediate area of the lot and are convenient to the lot.

6. The lot is extremely well maintained, and complies with all of the requirements of previous orders of the Board and with the Zoning Regulations.

7. The Department of Transportation by memorandum dated September 28, 1978 recommended that the approval of the application was marginally acceptable because of limited accessibility by transit. Also, because the library is independent of government buildings in the area, parking lot sharing may be difficult. The Department of Transportation recommended that approval be limited to four years.

8. Advisory Neighborhood Commission 6B voted unanimously to endorse the application on the grounds that it constitutes no more than a routine renewal of the special exception and denial would cause more cars to park on the street.

9. The Municipal Planning Office, by report dated October 2, 1978, recommended that the application be approved on the grounds that it is convenient to the employees of Folger Library and the American Meteorological Society. In addition, the lot is well maintained and is not likely to adversely affect the present character and future development of the neighborhood. The Board so finds.

10. There was no opposition to the case.

CONCLUSIONS OF LAW

Based upon the above findings of fact and the record, the Board concludes that the subject parking lot is so located that it is convenient and reasonable necessary to the Folger Library and the other users of the lot and is not likely to become objectionable to neighboring property owners because of noise, traffic or other objectionable conditions. The Board also concludes that the lot has complied with all conditions of the previous order. The Board concludes that the granting of this application will be in harmony with the general purpose and intent of the zoning regulations and maps and will not tend to affect adversely the use of neighboring property in accordance with the zoning regulations and maps. Accordingly, the application is GRANTED subject to the following conditions:

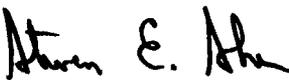
- a. Approval shall be for a period of FOUR YEARS from the date of expiration of the previous Certificate of Occupancy which may be renewed at the discretion of the Board upon the filing of a proper application.
- b. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- c. An eight 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.

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
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.