

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12753 of Standard Properties, Inc., pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.48 to operate a parking lot in the C-1 and R-1-B Districts at premises 5510 MacArthur Boulevard, N.W., (Square 1445, Lot 815 and part of Lot 814).

HEARING DATE: October 18, 1978
DECISION DATE: November 1, 1978

FINDINGS OF FACT:

1. The subject site is located on the southwest side of MacArthur Boulevard, north of its intersection with Cathedral Avenue, in an R-1-B and C-1 Zone Districts.

2. The subject property is currently operating as a parking facility. Approval of the lot was previously granted by the Board's Order No. 12409 dated July 28, 1977. The applicant failed to acquire a Certificate of Occupancy within the prescribed time limits after the issuance of that Order, and the approval lapsed. The operation is thus illegal without the proper Certificate of Occupancy.

3. The applicant proposes to continue the use of site as a parking lot. This application is in the nature of a reinstatement of the previous decision.

4. The subject lot is used primarily for the employees and customers of Standard Properties Inc., located in an adjoining building.

5. The spaces are marked-off and can accommodate fourteen cars.

6. The Department of Transportation, by report dated September 13, 1978, stated that the application had been reviewed and no adverse impacts had been identified. The Board so finds.

7. Advisory Neighborhood Commission 3D was notified as to the application but no recommendation was received.

8. There was no opposition to the application.

9. The Board further finds that the material facts in this application have not changed since approval was last granted by the Board in July of 1977.

CONCLUSIONS OF LAW AND OPINION:

Based on the above findings of fact, and the evidence of the record, the Board is of the opinion that the applicant has complied with the provisions of Article 74 of the Zoning Regulations. The Board is of the opinion, that because of the nature and size of the lot, there will be no adverse affect upon the present character or future development of the neighborhood. The Board concludes that no objectionable traffic conditions will result from its use and that the lot is reasonably necessary and convenient to surrounding uses. Accordingly it is therefore ORDERED that 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 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 form 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.

VOTE:

4-0 (Chloethiel Woodard Smith, Charles R. Norris, William F. McIntosh and John G. Parsons to grant; Leonard L. McCants not present, not voting).

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

ATTESTED By: Steven E. Sher by [Signature]
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 1/4/79

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.