

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12870 of the National City Christian Church, 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 an SP-2 District at the premises 1224 - 14th Street, N.W., (Square 212, Lots 63,64,822,835-846 and part of 832).

HEARING DATE: February 14, 1979
DECISION DATE: March 7, 1979

FINDINGS OF FACT:

1. At the Public Hearing of February 14, 1979 the Board, for good cause shown, waived Section 3.33 of the Supplemental Rules of Practice and Procedure before the BZA which requires that the subject property be posted at least ten days prior to the Public Hearing. The property was posted six days prior to the hearing.

2. The subject parking lot is located on the west side of 14th Street, between N Street and Massachusetts Avenue, and is known as 1224 14th Street, N.W. It is in an SP-2 District.

3. The Board first granted permission for the establishment of the subject parking lot about 1970. The most recent Order, BZA Order No. 12036, dated January 5, 1976, granted permission to the same applicant to continue the parking lot for a period of three years.

4. The subject parking lot comprises approximately 20,000 square feet. It has facilities for 121 cars. The lot is operated by Parking Management, Inc.

5. The lot is used from 6:00 a.m. to 7:00 p.m., Monday through Friday. There is an attendant on duty. On weekends it is used by the applicant for persons attending the services of the church applicant.

6. Approximately one-third of the parking spaces are rented on a monthly basis. The remaining two-thirds are used on an hourly basis.

7. The operator of the lot testified that he maintains the lot and keeps it clean on a daily from Monday through Friday. The applicant church testified that it has one person to clean up the lot on Saturday and Sunday.

8. The operator has received no complaints on the maintenance of the lot. The applicant testified that there were a few minor complaints received by them and that they have been corrected.

9. The applicant is planning to construct an office building on the site and have all parking within the office building including facilities for the use of spaces for Sunday services. The construction plans are not immediate.

10. The applicant was advised by the Board that under the revised Paragraph 4101.41 of the Zoning Regulations the lot cannot be used for all-day commuter parking and that any continuance granted by the Board could not exceed four years from the date of the present Certificate of Occupancy expiration.

11. Advisory Neighborhood Commission 2C made no recommendation on the application.

12. There was no opposition to the application.

13. The applicant has substantially conformed to the conditions of the prior Orders of the BZA.

CONCLUSIONS OF LAW:

Based on the findings of fact the Board concludes that the applicant has substantially complied with the requirements of Paragraph 4101.41 of the Zoning Regulations in that the lot in the past has not been objectionable to adjoining and nearby properties because of noise, traffic or other objectionable conditions and that the limited future use will not likely become objectionable. The Board conclude that the present character and future development of the neighborhood will not be affected adversely. The Board concludes that the primary use of the lot is not for all-day commuter parking, and the subject lot provides short term parking and services the Church use. The Board further concludes that the relief sought is 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 properties. Accordingly, it is 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 the application of the previous Certificate of Occupancy.
- 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: 5-0 (Chloethiel Woodard Smith,, Charles R. Norris, Ruby
B. McZier, William F. McIntosh and Leonard L. McCants
to grant)

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

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

FINAL DATE OF ORDER: 3 MAY 1979

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 DEVELOP-
MENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF
THIS ORDER.