

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12937, of Andrew Saul, 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 an R-5-A District at the rear of premises 2720 Ordway Street, N.W. (Square 2218, Lots 29 and 30).

HEARING DATE: May 23, 1979

DECISION DATE: June 6, 1979

FINDINGS OF FACT:

1. The subject property is located at the rear of premises 2720 Ordway Street, N.W. and is in an R-5-A District. It is located on the east side of a public alley, opposite commercial complexes which front on Connecticut Avenue, N.W.

2. Two apartment houses and the subject parking lot are located on the subject Lots 29 and 30.

3. The subject parking lot was last approved by the BZA for a period of two years by BZA Order No. 12338, dated March 22, 1977.

4. The lot accommodates approximately thirty-one cars. It is unattended. Access to the lot is through public alleys. The lot serves retail stores and restaurants on Connecticut Avenue.

5. The applicant has complied with all the conditions of the Board's previous Order.

6. The applicant has received no complaints as to the maintenance or operation of the lot.

7. The applicant is selling the subject lots which include the two apartment houses and the subject parking lot. The Tenant's Association of the apartment house has the first option to buy. If the Tenant's Association does not exercise its option, then a current contract purchaser will buy the entire property.

8. Colonial Parking, Inc., is operating the lot, on a month-to-month basis. It's operation may or may not be continued by the new owner. The applicant is requesting a two year approval by the Board for the benefit of any purchaser.

9. The application was referred to the Department of Transportation on March 21, 1979. By memorandum received May 30, 1979, the Department reported that no adverse impacts had been identified.

10. There was no opposition to the application.

11. Advisory Neighborhood Commission - 3F made no recommendation on the application.

CONCLUSIONS OF LAW:

Based on the record, the Board conclude that the applicant has substantially complied with Paragraph 3104.44 of the Zoning Regulations. All provisions of Article 74 have been complied with. Access to the lot is from an alley and the lot is to the rear of the apartment buildings. The DOT noted no adverse impacts. Accordingly, no dangerous or otherwise objectionable traffic conditions result from the present use. The future development of the neighborhood is not affected adversely. Lastly the lot services the customers of retail stores and restaurants on Connecticut Avenue and is reasonably necessary and convenient to other uses in its vicinity.

The Board further concludes that the special exception is in harmony with the general purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring property. Accordingly, it is ORDERED that the Application is GRANTED SUBJECT to the FOLLOWING CONDITIONS:

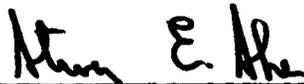
- a. Approval shall be for a period of TWO YEARS from the date of the expiration of the previous Certificate of Occupancy, namely March 22, 1979.
- b. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving forming an all-weather impervious surface.
- c. An eight 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 (Charles R. Norris, Chloethiel Woodard Smith and John G. Parsons to GRANT; William F. McIntosh and Leonard L. McCants 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:

7 AUG 1979

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.