

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12984, of Frederick Richmond and Washington Mortgage Investment Corporation, 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 1613-15-17 New Hampshire Avenue, N. W., (Square 155, Lots 829 and 830).

HEARING DATE: July 18, 1979

DECISION DATE: August 8, 1979

FINDINGS OF FACT:

1. The subject property is located on the northeast corner of the intersection of New Hampshire Avenue and Corcoran Street, N. W. It is known as 1613-15-17 New Hampshire Avenue, N. W.

2. The subject lot is approximately 6,660 square feet in area. Adjacent to the site on the north is a law office and the Embassy of Nicaragua. A public alley adjoins the parking lot at the rear. Across New Hampshire Avenue from the site is the Washington headquarters of the Order of the Eastern Star.

3. Surrounding the subject site are a variety of uses. Large apartment buildings, professional offices, and diplomatic uses are found along New Hampshire Avenue in the vicinity of the site. A number of organizational headquarters are found in the area. To the east of the site, the 1700 block of Corcoran Street is composed primarily of row houses. A neighborhood commercial strip is found at 17th Street one block east of the site. An R-5-B zone begins adjacent to the site on the east. An R-5-C District is found north of "R" Street, N. W.

4. The subject parking lot has been in existence for approximately ten years. It's last continuance was approved pursuant to Board Order No. 12362 dated April 15, 1977, for a period of two years.

5. The application is requesting a special exception to continue the use of the lot for a period of four years.

6. A brick wall separates the lot from New Hampshire Avenue and Corcoran Street.

7. The parking lot is used to accommodate parking for visitors of the General Grand Chapter Order of the Eastern Star, The Woman's National Democratic Club, The Washington School of Psychiatry, as well as various surrounding law offices and apartments.

8. The applicant proposed to subdivide lots 829 and 830 into one lot of record, to permit the construction of a nine story building on the site.

9. This property is located within the boundaries of the Dupont Circle Historic District. The subdivision was delayed for a period of 180 days. The order delaying the subdivision was entered on December 29, 1978, and has since expired. The applicant stated that if he were permitted to do so, he would construct a building on the site as soon as possible.

10. Advisory Neighborhood Commission 2-B by report dated February 18, 1979, recommended approval of the lot provided that the large sign on the lot be removed, and that the lot be unchained after 6:00 P.M. for use by residents of the neighborhood.

11. The Department of Transportation, by report dated July 27, 1979, recommended approval of the lot be granted only if parking on the lot is restricted to short term parking of six hours or less. The Board finds upon examination of the record, that this lot is used primarily to serve visitors of the surrounding businesses and facilities on a short term basis.

12. There are several letters in the record from surrounding businesses supporting the application.

13. The Dupont Circle Citizens Association, by letter dated June 17, 1979, recommended extension of the lot for a period of six months only, provided that the lot is not used for commuter parking, that the large sign is removed and that the lot remains open and unchained at night for use of neighborhood residents.

14. There was no opposition to the granting of this application.

CONCLUSION OF LAW AND OPINIONS:

The applicant is requesting a special exception under Paragraph 4101.41. This Paragraph of the Zoning Regulations

effective October 5, 1978, provides, among other items, that a parking lot in existence on October 5, 1978, may be permitted by the Board to continue in existence for a period not to exceed four years from the date that the present Certificate of Occupancy expires provided the lot does not provide all-day commuter parking. The Board notes that this is the last time that the applicant may be permitted to request a continuance of the parking lot. The Board notes that the applicant has expressed an intention to develop the site or sell the site for development in the near future. The Board has given great weight to the issues and concerns of the ANC as is required by statute.

The Board concludes that by imposing conditions on this Order as to a final one year approval of the application and a proviso that under no circumstances will there be commuter parking allowed on the subject lot that the application can be granted as in compliance with Paragraph 4101.41 of the Zoning Regulations. It's use and design are not likely to become objectionable conditions, the future character and development of the neighborhood will not be affected adversely by the limited terms of use and the subject lot serves either residential uses or provides short term parking for retail service and public facility uses. Accordingly, it is ORDERED that the application is GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

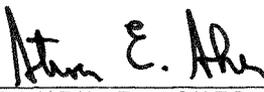
- a. The parking facility shall serve either residential uses or provide short-term parking for retail, service and public facility uses, but shall not provide all-day commuter parking.
- b. Approval of this parking lot shall expire one year from the date of this decision, namely, August 8, 1980
- c. 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. Bumber 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 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: 4-0 (Charles R. Norris, William F. McIntosh, Leonard L. McCants and Chloethiel Woodard Smith to grant).

BY ORDER OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
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STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 27 SEP 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.