

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13010 of the Estate of H.K. Willard, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3104.44 to continue the operation of a parking lot in an R-5-B District at the premises 1633-1635 Q Street, N.W., (Square 179, Lots 14 and 802).

HEARING DATES: August 22 and September 19, 1979

DECISION DATE: October 3, 1979

FINDINGS OF FACT:

1. The subject property is located in an R-5-B zone district at 1633-1635 "Q" Street, N.W., known as lots 803, 14, and 802, in square 179.
2. The property currently serves as a parking facility pursuant to BZA Order 12718, dated June 19, 1978. The applicant proposes the continuation of a parking lot.
3. The lot is operated in concurrence with an existing adjoining lot, (803) which is zoned C-2-B, and allows parking as a matter-of-right without BZA approval.
4. Subsequent to approval by the BZA in Case No. 12718, the entire parking lot was reduced from sixty spaces to forty spaces because of proposed development on a portion of the property.
5. The applicant testified that approximately twenty-five of the spaces serve as parking for residents of the Cairo apartment building at 1615 Q Street as well as town houses along "Q" Street and in the area.
6. The property is located on the northeastern corner of 17th and "Q" Streets., N.W. It has 100 feet of street frontage on 17th Street and 121 feet of frontage on "Q" Street.

7. The applicant testified that there are no immediate plans to develop the property.

8. In addition to serving the 17th Street commercial corridor, the lot serves restaurants on R Street as well as the former Cairo Hotel, which now is converted to a 200 unit apartment building, with no on-site parking provided for its tenants.

9. The Department of Transportation by report dated September 17, 1979 recommended approval of the application subject to the lot's use as short term and residential parking with no all-day commuter parking. The Department of Transportation cited the importance of the lot to the nearby commercial establishments, as a means of satisfying the critical need of short term parking in the area. The Board so finds.

10. Advisory Neighborhood Commission 2B, by report dated September 19, 1979, recommended extension of the lot for no more than one year, on the grounds that residential development is in progress on most of the subject lots. The Board finds that a large number of the area's surface lots have been eliminated and that this lot strategically serves the surrounding commercial corridor and residential neighborhood.

11. There were several letters in support of the application from surrounding residents.

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

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing Findings of Fact and the evidence of record the Board concludes that the applicant has complied with the conditions set forth in BZA Order 12718, as well as the provisions of Paragraph 3101.44 and Article 74 of the Zoning Regulations. The Board is of the opinion that the present character or future development of the neighborhood will not be adversely affected by the continued use of this parking facility. The Board further concludes that the subject lot is necessary and convenient to the surrounding commercial corridor and adjoining residences.

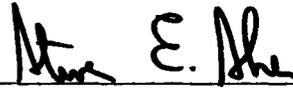
The continuation of this parking facility is in harmony with the general intent and purpose of the Zoning Regulations and Map. Accordingly, it is hereby ORDERED that this application is hereby GRANTED, subject to the following CONDITIONS:

- a. Approval shall be for a period of Two 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. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- d. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- e. 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.
- f. 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.
- g. 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 (Chloethiel Woodard Smith, William F. McIntosh, Walter B. Lewis and Charles R. Norris to grant; 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:

28 JAN 1980

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.

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."