

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



BZA Application No. 13499, of Leonard Schuman, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.48 to continue to operate a parking lot in an R-3 District at the premises 927 Ingraham Street, N. W., (Square 2997, Lot 109).

HEARING DATE: June 17, 1981

DECISION DATE: July 1, 1981

FINDINGS OF FACT:

1. The subject property is located in an R-3 District on the north side of Ingraham Street between Georgia and Illinois Avenues, N. W.

2. The subject property is 18.56 feet wide at the front, and 25.52 feet wide at the rear. It is approximately 100 feet deep. The lot is bounded on its west by a fifteen foot wide public alley.

3. The property is presently used as a parking lot pursuant to approval of the Board granted in Application No. 12041, by order dated April 20, 1976.

4. The parking lot serves as accessory parking for the Jefferson Liquor Store located at 5305-07 Georgia Avenue, N. W. located in the same square as the subject parking lot. There is no charge for parking on the lot.

5. The lot can accommodate twelve vehicles parked perpendicular to the alley. Access to the spaces is directly from the alley. The lot is paved with an all weather impervious surface, and otherwise meets the requirements of Article 74.

6. The lot is open at the same hours as the liquor store, from 10:00 A.M. to 9:00 P.M., Monday through Saturday.

7. The lot is cleaned on a daily basis by employees of the liquor store.

8. The center of the alley adjoining the lot is the boundary line between the R-3 and C-2-A Districts. The lot in its entirety is located within 200 feet of a commercial district.

9. The spaces located at the front of the lot are less than nineteen feet in length, because the lot is less than nineteen feet wide. Photographs in the record indicate that cars parked in those spaces come close to overhanging the alley.

10. The lot is bounded on its east side by the side of an adjoining row dwelling and by a six foot high brick wall. There is a concrete curb on the lot which stops the wheels of parked vehicles and prevents them from striking the building or wall. There are loose bricks in the wall that need to be repaired.

11. The D. C. Department of Transportation, by memorandum dated May 14, 1981, reported that its on-site investigation revealed that the lot has been poorly maintained. The DOT recommended that, as conditions for approval, the Board require that the area be cleared of all trash and debris, that all parking spaces be clearly marked and be nine feet wide by nineteen feet long, and that no automobile project into public space.

12. There was no report from Advisory Neighborhood Commission 4-D.

13. There was no opposition to the application.

#### CONCLUSIONS OF LAW AND OPINION

Based on the findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception. In order to be granted such an exception, the applicant must demonstrate that he has complied with the requirements of Paragraph 3101.48 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the applicant has so complied. The lot is located within 200 feet of a commercial district and is separated only by an alley from that district. The lot meets the provisions of Article 74. The lot is reasonably convenient and necessary to the applicant's business.

The Board further concludes that the special exception can be granted as 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 property in accordance with said regulations and maps. It is therefore 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 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. The lot shall contain ten parking spaces, each nine feet wide, marked as spaces one through ten on the

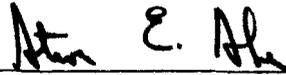
plat marked as Exhibit No. 2 of the record.

- c. The frontage of the property on Ingraham Street to a depth of ten feet shall be landscaped with grass and a privet hedge. The landscaped area shall be surrounded by an eight-inch concrete coping. The landscaped area shall also contain trash receptacles.
- d. The loose or broken bricks on the wall at the rear of the lot shall be repaired.
- e. The lot shall be cleaned twice daily, Monday through Saturday, no later than 9:00 A.M. and 4:00 P.M.
- f. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- g. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- h. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- i. 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.
- j. 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.
- k. 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 (Douglas J. Patton, Charles R. Norris, William F. McIntosh and Connie Fortune to grant; Ruby B. McZier to grant by proxy).

BY ORDER OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

ATTESTED BY: \_\_\_\_\_

  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 14 OCT 1981

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.