

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13841, of the Warner Corporation, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3104.44 to establish a parking lot in an R-4 District at the premises 100 Q Street, N.E. which would be accessory to the building at 101 Q Street, N.E., (Square 3519, Lot 801).

HEARING DATE: October 20, 1982
DECISION DATE: November 3, 1982

DISPOSITION: The Board GRANTED the application with CONDITIONS by a vote of 4-1 (Maybelle Taylor Bennett, Connie Fortune, William F. McIntosh and Charles R. Norris to grant; Douglas J. Patton opposed to the Condition of the Motion limiting approval to only TWO YEARS).

FINAL DATE OF ORDER: January 18, 1983

ORDER

The subject application was granted by the Board subject to eleven conditions. Condition "B" of the Order required as follows:

"B. An eight foot high chain link fence shall be erected on all open lot lines of the lot. The fence shall contain brown vinyl or wood diagonal strips so as to make the fence generally opaque."

By letter dated April 29, 1983, counsel for the applicant requested modification by the Board of this condition and the parking layout plan to permit installation of the wood or vinyl strips only along the First Street frontage of the parking lot and to leave such strips out of the other portions of the fence. The counsel for the applicant contended that the provision of the proposed screening on all sides of the lot will hamper the applicant's ability to provide proper security for the lot by obstructing the lot from view from the applicant's offices located directly across Q Street to the south of the parking lot. In addition, the lot is bounded on two sides by C-M-2 uses which will not be impacted adversely by the absence of the screening treatment on the fence. The residences located across First Street to the west will be shielded by the provision of the screening fence along the

western boundary of the parking lot. The windows in the Old Eckington School building which has been converted to residential use, are located at such a height so as to prevent a fence of the proposed height, with or without the screening treatment, from effectively blocking the view of the parking lot from those windows. There was no opposition to the proposed modification.

Upon reviewing the applicant's motion, the Board's Order, and the record in the subject application, the Board concludes that the modification of Condition "B," as requested by the applicant is a minor deviation from the plan, previously approved by the Board. The Board further concludes that the screening treatment of the fence along the First Street frontage of the parking lot, in conjunction with the other conditions of the Board's Order, adequately addresses its concerns regarding the shielding of nearby residences from adverse impacts associated with the operation of the subject parking lot.

The Board further concludes that there will be no change in the number and location of parking spaces, the hours and conditions of operation of the parking lot. The material facts relied upon by the Board in granting the application are still relevant. Accordingly, it is ORDERED that Condition "B" of the Board's Order dated January 18, 1983 is hereby MODIFIED to read as follows:

- B. An eight foot high chain link fence shall be erected on all open lot lines of the lot. The fence along the First Street frontage on the western lot line shall contain brown vinyl or wood diagonal strips so as to make the fence generally opaque.

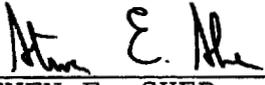
In all other respects, the Order dated January 18, 1983 shall remain in full force and effect.

DECISION DATE: June 11, 1983

VOTE: 4-0 (Maybelle Taylor Bennett, Douglas J. Patton, William F. McIntosh and Charles R. Norris to grant modification; Carrie Thornhill 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:

JUN 28 1983

BZA APPLICATION NO. 13841
PAGE 3

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."

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