

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14452, of Sage Associates, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3105.44 to continue to operate a parking garage in the R-5-D District in the basement of the building at premises 2020 F Street, N.W., (Square 104, Lot 835).

HEARING DATE: July 9, 1986
DECISION DATE: July 9, 1986 (Bench Decision)

FINDINGS OF FACT:

1. The property is located on the south side of F Street, between 20th and 21st Streets, N.W. It is in an R-5-D District at premises known as 2020 F Street, N.W.
2. The site is improved with a large apartment building with two levels of underground parking at the basement levels. It was constructed about 1950.
3. The neighborhood north of the building is part of the George Washington University Campus. To the east of the site is the General Services Administration. The Red Cross building is south of the site and to the west are apartment buildings.
4. The building contains 280 apartments units. The Zoning Regulations require 70 spaces be provided for this size building. The garage contains an excess number of spaces. These excess spaces have been used by the applicant since 1960 as a commercial parking garage facility. These spaces are rented on a monthly contractual basis. The garage is operated by Parking Management, Inc. (PMI). This garage use by the applicant is deemed a principal use.
5. The facility is operated from 7:00 A.M. until 6:00 P.M., Monday through Friday. There is an attendant present during these hours. When the commercial facility is not in use the spaces are available for use by residents of the building.
6. The applicant has received no complaints about the operation and maintenance of the garage. There is a sign inside the garage advising where the operator can be contacted.

7. No commercial advertising signs are posted outside of the building.

8. The garage has existed as a commercial facility since 1960. The most recent approval was Board of Zoning Adjustments Order No. 13309, dated April 23, 1981. In the prior orders, with the exception of the last, the property was considered as a parking lot. It should have been treated as a parking garage. All prior orders granted the application with the condition that the provisions of Article 74 for parking lots regarding bumper stops, parking surface, lighting and landscaping, be met. Rather, the provisions of Article 74 as to parking garages are pertinent to the application.

9. Pursuant to Paragraph 3105.44, the application was submitted to the District of Columbia Department of Public Works for review and report. No report was filed.

10. Advisory Neighborhood Commission 2A filed no report on the application.

11. There was no opposition to this application.

CONCLUSIONS OF LAW:

Based on the record, the Board concludes that the applicant is seeking a special exception, the granting of which requires the proposal meet the requirements of Paragraph 3105.44 and that the relief requested under Sub-section 8207.2 can be granted as in harmony with the general purpose and intent of the Zoning Regulations and the relief will not tend to affect adversely the use of neighboring property.

Pursuant to Paragraph 3105.37, a parking garage on an alley lot is permitted as a matter-of-right in an R-5-D District. This garage is not on an alley lot. Paragraph 3105.44 permits the Board of Zoning Adjustments to approve by special exception a parking garage constructed as a principal use on a lot other than an alley lot in an R-5-D District, provided that:

- a. All provisions of Article 74 for parking garages are complied with;
- b. No commercial advertising signs shall be permitted outside a building, except one advertising the rates as required by the Police Regulations of the District of Columbia;
- c. The Board shall find no dangerous or otherwise objectionable traffic conditions shall result, that the present character and future development of the neighborhood will not be affected adversely,

and that the parking garage is reasonably necessary and convenient to other uses in the vicinity; and

- d. Before taking final action on an application for such use, the Board shall have submitted the application to the District of Columbia Department of Transportation for review and report.

The commercial parking garage is a principle use. The portion of the garage reserved for residents of the building is considered accessory parking to the building. No commercial advertising signs are posted outside of the building. The garage has been in existence since 1960 without public complaints addressed to the BZA. The Board concludes that no dangerous or objectionable traffic conditions have resulted. The commercial facility grew out of excess space in an already existing parking garage. This prior garage was in full compliance with all regulations regarding entrances and exits, thus, the commercial facility also meets these standards.

The Board further concludes that the garage will have no adverse impact on the character of the neighborhood and is convenient to other uses in the vicinity. The Board ORDERS the application be GRANTED SUBJECT to the following CONDITIONS:

- 1. Approval shall expire on April 26, 1991, five years from the date of expiration of the previous occupancy permit.
- 2. The applicant shall comply with all the provisions of Article 74, Section 4402, of the Zoning Regulations.

VOTE: 5-0 (Patricia N. Mathews, William F. McIntosh, Charles R. Norris, Paula L. Jewell and Carrie L. Thornhill to grant).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



EDWARD L. CURRY
Acting Executive Director

FINAL DATE OF ORDER: _____

AUG 29 1986

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 CONSUMER AND REGULATORY AFFAIRS.

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