

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14460 of the George Washington University, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.46 to continue to operate a motorcycle parking lot as a university use in an R-5-C District at the premises 2034 H Street, N.W. (Square 101, Lot 817).

HEARING DATE: July 16, 1986

DECISION DATE: July 16, 1986 (Bench Decision)

FINDINGS OF FACT:

1. The property is located at the northeast corner of the intersection of 21st and N Street, N.W. and is known as premises 2037 H Street, N.W. The site is in an R-5-C District.
2. The property is currently being used as a parking lot, pursuant to the Board of Zoning Adjustment (BZA) Order No. 13547, dated October 15, 1981. Certificate of Occupancy No. B128394 was issued on December 24, 1981 to cover this use.
3. The University requests permission to continue use of the lot for parking of a maximum of twenty-five motorcycles and motor scooters for students, faculty, and staff.
4. A ten foot public alley from 21st Street, N.W. provides access to the lot.
5. Because of the seasonal nature of use of motorcycles and motor scooters, the lot is not normally filled to capacity. The low intensity of use results in no dangerous or objectionable traffic conditions.
6. The property is within the area for which the BZA has approved the campus plan for the University.
7. The Department of Public Works, by memorandum dated July 1, 1986, stated no objection to the continued parking lot use of the property. The Department noted the cleanliness and maintenance of the lot.
8. Advisory Neighborhood Commission 2A made no recommendation on the application.

9. There was no opposition to the application.

CONCLUSIONS OF LAW AND OPINION:

Based on the evidence in the record, the Board concludes that the applicant is seeking special exception relief to continue a parking lot use. In order to be granted this relief, the applicant must demonstrate substantial compliance with the requirements of Paragraph 3101.46 of the Zoning Regulations and that the relief can be granted as in harmony with the intent, purpose, and integrity of the Zoning Regulations and will not tend to affect adversely the use of neighboring property. (Sub-section 8207.2).

The Board concludes that the proposed use has not been nor will be objectionable because of noise, traffic, or number of students. The Board concludes that the proposed use is a valid University function and, as an interim use, may be permitted under the Zoning Regulations. Furthermore, the Board concludes that the special exception can be granted as in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to affect adversely the use of neighboring property.

Accordingly it is ORDERED that this application is GRANTED, SUBJECT to the following CONDITIONS:

- a. Approval shall expire on November 14, 1987.
- b. The parking lot shall be limited to use by motorcycles, motor scooters, and bicycles.
- 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. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- e. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- f. All parts of the lot shall be kept free of refuse of debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
- g. 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

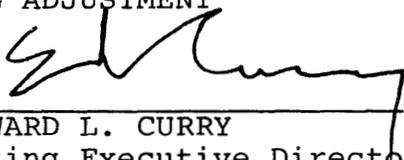
in the zoning district in which the parking lot is located.

- h. 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 (Maybelle T. Bennett, Paula L. Jewell, Charles R. Norris, William F. McIntosh, 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: SEP 10 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.

14460order/DON24