

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14563 of Ten/L Joint Venture and Irene O. Rosenthal, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Paragraph 4101.41 to continue to operate a parking lot and for a variance from the prohibition against all-day commuter parking (Sub-paragraph 4101.414) in an SP-2 District at the premises 1109-1123 - 10th Street, N.W., (Square 369, Lots 817, 818, 819, 22, 50, 845, 53, 851, 852, 847, 815 and 867).

HEARING DATE: February 25, 1987  
DECISION DATES: February 25, 1987 and July 5, 1989

DISPOSITION: The Board GRANTED the application, with conditions, by a vote of 3-0 (William F. McIntosh, John G. Parsons and Carrie L. Thornhill to grant; Paula L. Jewell and Charles R. Norris not voting, not having heard the case).

FINAL DATE OF ORDERS: April 10, 1987 and August 21, 1989

ORDER

The Board granted the application by its order dated April 10, 1987 subject to seven conditions. Condition No. 1 of the order reads as follows"

"Approval shall be for a period of TWO YEARS terminating on January 5, 1989 subject to review and approval of a landscaping plan for public space adjacent to the parking lot by the D.C. Public Space Committee. Upon submission to the Board of evidence of such approval, the Board may amend its approval of the subject application for a period of FOUR YEARS, terminating on January 5, 1991."

By its order dated August 21, 1989, the Board amended Condition 1 of its prior order to approve the application for a period terminating on January 5, 1991, subject to the Condition that the applicant screen the property with a four foot high solid wood fence.

By letters dated August 29 and 31, 1989, the applicant requested the Board to consider the provision of a four foot wooden fence with gaps to allow for greater visual

observance of the lot for security reasons. The applicant submitted a brochure of the type of fencing proposed. There was no response to the applicants request.

Upon consideration of the applicant's submission, the evidence of record, and its orders dated April 10, 1987 and August 21, 1989, the Board hereby amends its previous approval of the order SUBJECT to the CONDITION that the applicant screen the property with a four foot fence as shown on the brochure marked as Exhibit No. 34A. In all other respects, the prior orders of the Board shall remain in full force and effect.

DECISION DATE: October 4, 1989

VOTE: 3-0 (William F. McIntosh and Carrie L. Thornhill to grant; John G. Parsons to grant by proxy; Paula L. Jewell and Charles R. Norris not voting, not having heard the case).

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

ATTESTED BY:

  
EDWARD L. CURRY  
Executive Director

FINAL DATE OF ORDER: NOV 28 1989

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "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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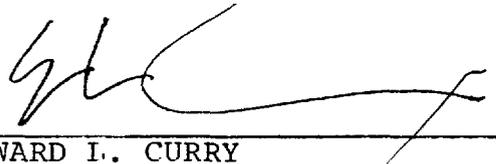
APPLICATION No. 14563

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a letter has been mail to all parties, dated NOV 28 1969, and mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Marc R. Slavin, V-President  
Atlantic Garage, Inc.  
1828 L Street, N.W., Suite 803  
D.C. 20036

Irene O. Rosenthal  
14 Sussex Road  
Charleston, S.C. 29407

Clarene Martin, Chairperson  
Advisory Neighborhood Commission 2-C  
Garrison Elementary School  
1200 S Street, N.W., Suite 202  
Washington, D. C. 20009

  
EDWARD I. CURRY  
Executive Director

DATE: NOV 28 1969