

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14587 of the National Shrine of the Immaculate Conception (the "Applicant"), pursuant to Sub-section 8207.48 (3108.1 DCMR 11) of the Zoning Regulations, for a special exception under the provisions of Paragraph 3101.48 (212.1 DCMR 11) to permit the continuation of parking lot in the R-5-A District at premises 300 Michigan Avenue, N.E., (Parcel 121/22).

HEARING DATE: May 13, 1987

DECISION DATE: May 13, 1987 (Bench Decision)

FINDINGS OF FACT:

1. The site is located in an R-5-A District at the premises 300 Michigan Avenue, N.E. The site has street frontages on Michigan Avenue, N.E., and Harewood Road, N.E.
2. The subject property is owned by the National Shrine of the Immaculate Conception. The site has been owned by the Shrine since the original application before the Board of Zoning Adjustment for a special exception, to operate a parking lot No. 6105, was filed in 1960.
3. The Applicant requests permission to continue the use of the site as a parking lot to serve visitors to the Shrine. Approximately 500,000 persons visit the Shrine annually. The 382 space parking site accomodates bus and car traffic. The lot is open to the public without charge.
4. The other parking lots in the area are owned by Catholic University and are restricted, paid-parking lots for University personnel. The metered parking sections within the University are available to Shrine visitors.
5. The site is used primarily during the day. No illumination is provided during evening hours unless the Shrine schedules evening activities. There are two signs posted on the lot, one on Harewood Road and one on Michigan Avenue. The signs read "National Shrine Parking, Visitors only, private property.
6. The parking lot is unattended. The Applicant retains guards at the Shrine which is directly across the street from the lot. These guards are available to the parking lot on an as needed basis. The site is cleaned

twice a week and landscaping service is provided once a week.

7. The Applicant has received no complaints about site operation and maintenance or adverse traffic impact due to the parking lot.

8. All conditions of Article 74 have been met, except for the required bumper stops. The Applicant noted that there are no buildings adjoining the parking lot and that there are raised area separations between parking aisles.

9. By memorandum dated May 6, 1987 the Department of Public Works reported that it has no objections to the continued use of the parking lot as it serves a useful and essential community purpose and is well maintained.

10. Advisory Neighborhood Commission 4D submitted no report on the application.

11. There was no opposition to the application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and evidence of record, the Board concludes that the Applicant is seeking a special exception, the granting of which requires compliance with the requirements of Paragraph 3104.4 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the Applicant has met its burden of proof. The site is reasonably necessary and convenient to other uses in the vicinity and the usage does not result in objectionable traffic conditions.

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 properties. It is therefore ORDERED that the application is GRANTED, SUBJECT to the following CONDITIONS:

- A. Approval shall be for a period of FIVE YEARS.
- B. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- C. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.

- D. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- E. 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.
- F. 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 Zone District in which the parking lot is located.
- G. 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: 4-0 (William F. McIntosh, Paula L. Jewell, Maybelle T. Bennett, and Charles R. Norris to grant; Carrie L. Thornhill not present, not voting).

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

ATTESTED BY: 
EDWARD L. CURRY
Acting Executive Director

FINAL DATE OF ORDER: JUL 27 1987

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.