

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



**Application No. 16164 of SMC-United Industrial Limited**

**Partnership**, as amended, pursuant to 11DCMR 3108.1 (new section 3104.1), for a special exception under Section 213 to establish a parking lot in an R-1-B District at the rear of 3070 V Street, N.E. (Square 4365, Lots 805 and 806).

**HEARING DATE:** October 16, 1996

**DECISION DATE(S):** November 6, 1996, and July 7, 1999

**MODIFICATION ORDER**

**REQUEST FOR MINOR MODIFICATION OF APPROVED PLANS**

This application was approved by the Board pursuant to Order No. 16164, dated January 2, 1998, as corrected by Order No. 16164, dated April 14, 1998. The Applicant, SMC United Industrial Limited Partnership, by letter dated June 25, 1999, in accordance with the provisions of Section 3335 of the Zoning Regulations, requested approval of minor modifications to the approved site plan (Exhibit No. 32, in the record) in BZA Order No. 16164, dated April 14, 1998. The Applicant stated that the requested minor modifications do not change the material facts the Board relied upon in approving the application.

The Board in the subject case approved a special exception for continued use of the parking lot at the subject site for the adjacent warehouse use. The parking lot had a history of use by the U.S. Postal Service for its vehicles. The Postal Service will be vacating the property and would be removing its vehicles by October, 1999. The Applicant is presently in lease negotiations with the Metropolitan Police Department, which will lease the adjacent warehouse building and will use the subject lot for the parking of its vehicles. The Applicant therefore requests permission to modify the approved site plan to delete the references made to the use of the lot by the U.S. Postal Service. In conjunction with the above change to the site plan, the Applicant proposed that Conditions 3.b. and 3.c. of the Modification Order should be changed to read:

- 3.b. Service vehicles for the tenant of the adjacent building shall be restricted to the northern portion of the facility.
- 3.c. Employee passenger vehicles for the tenant of the adjacent building shall be restricted to the central portion of the facility.

The above modification will allow future users (new tenants) of the parking lot to do so without having to reappear before the Board. The Applicant stated that all of the other conditions of the Order would remain in full force and effect.

**CONCLUSION OF LAW AND OPINION:**

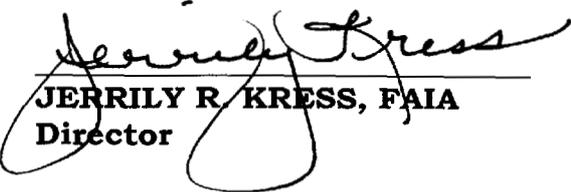
Based on the evidence of record, the Board concluded at its regularly scheduled public meeting on July 7, 1999, that the modification sought by the Applicant in the subject matter is minor in nature, and does not change the material facts the Board relied upon in approving the application. The modification to Condition Nos. 3.b. and 3c. of Order 16164, dated April 14, 1998, will eliminate the need for the Applicant to return to the Board each time a new tenant wishes to use the parking lot.

In light of the foregoing, the Board **ORDERS** that the application be **GRANTED, SUBJECT** to the following **CONDITIONS**:

- 1. Amend Conditions 3.b. and 3.c. in Order No. 16164, dated April 14, 1998, to read as follows:
  - 3.b. Service vehicles for the tenant of the adjacent building shall be restricted to the northern portion of the facility.
  - 3.c. Employee passenger vehicles for the tenant of the adjacent building shall be restricted to the central portion of the facility.
- 2. The layout of the site shall be in accordance with the revised site plan attached to the Applicant's June 25, 1999, letter and marked as "Proposed Modifications".

**VOTE: 4-0** (Betty King, John Parsons, Jerry H. Gilreath and Sheila Cross Reid to grant).

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

ATTESTED BY:   
JERRILY R. KRESS, FAIA  
Director

Final Date of Order:           MAY 18 2000          

Ord16164/PH

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



**BZA MODIFICATION ORDER NO. 16164**

As Director of the Office of Zoning, I certify and attest that on MAY 18 2000, a copy of the order entered on that date in this matter was mailed first class, postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Mr. Fred Farshey  
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Attested by:



JERRILY R. KRESS, FAIA  
Director

DATE: MAY 18 2000