

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- November 16, 1966

Appeal No. 8974 Capital Properties, Inc., appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on November 29, 1966.

EFFECTIVE DATE OF ORDER -- Dec. 16, 1966

ORDERED:

That the appeal for permission to establish a private parking lot on the rear of 213-15 E Street, NE., to serve building located at 415 Second Street, NE and variance from the provisions of Section 7205.1 to allow seven (amended to "one" at the public hearing) parking spaces 8 1/2 x 19 for a period of five years, parts of lots 831 and 832, square 755, be granted conditionally.

From the records and the evidence adduced at the public hearing, the Board finds the following facts:

(1) The building to be served is a three-story office building accommodating some 50 tenants, built under the provisions of current zoning regulations and providing a minimum number of 13 parking spaces adjacent to the structure.

(2) The subject lots (831 and 832) are located within 13 feet of the aforesaid office building, and are the rear yards of two one-family dwellings which will be razed at such time as the tenants are able to find other acceptable quarters. It is understood that request will then be made to use the entire lots for parking for the building at 415 Second Street, NE. Approval of the present appeal is not to be construed as implying approval of any future appeal.

(3) The property adjoining the subject lot on the east is unimproved, and a one-family dwelling is located adjoining to the west. All property abutting Second Street in this square is zoned C-2, a classification which extends in strip pattern along Massachusetts Avenue as well. The Massachusetts Avenue frontage is improved with large apartment buildings and a gasoline station. One of these apartment structures is currently being converted to office use and additional off-street parking on lots now unimproved along Third Street will be requested according to plans now on file with the Zoning Administrator.

(4) Notwithstanding the considerable intensification of development within this square, not more than 20 off-street parking spaces, most of which are provided by this appellant are located within the block.

(5) No objection to the granting of this appeal was registered at the public hearing. An objection by the Capitol Hill Restoration Society is on file in the records of this proceeding.

OPINION:

Since these parking accommodations are to be used exclusively by the tenants of one building during daylight hours under partial supervision, the Board believes that the present character and future development of the neighborhood will not be adversely affected and that traffic conditions of an objectionable nature will be minimized. The evidence also tends to show that this parking facility is reasonably necessary and convenient to other uses in the vicinity, as it will make available additional curb parking.

The Board is of the opinion that granting of this exception will be in harmony with the general purpose and intent of the Zoning Regulations and will not tend to have adverse impact upon neighboring property in accordance with the Regulations subject to these conditions:

- (a) Permit shall issue for the period of two years only, but shall be subject to renewal in the discretion of the Board upon the filing of new appeal in the manner prescribed by law.
- (b) A six-foot high Dubois type fence shall be erected along the entire rear yard of the adjoining property to the west from the building to the alley.
- (c) That portion of the lot to be used for parking shall be paved and graded in accordance with the provisions of Article 74 of these Regulations.
- (d) 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.