

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- November 16, 1966

Appeal No. 8990 Harry F. Stimpson, Jr., appellant.

The Zoning Administrator of the District of Columbia, appellee.

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

EFFECTIVE DATE OF ORDER - April 11, 1967

ORDERED:

That the appeal for permission to establish a parking lot for five years at 1229 L Street, NW., lots 24,25,26,27,809,810, square 283, be granted conditionally.

FINDINGS OF FACT:

- (1) Appellant's property is located in an SP District at the northeast corner of 13th and L Streets, NW.
- (2) An inspection of the property by the Board on November 14, 1966 showed that the lot was being used for parking, the lot is above the street grade and has been blacktopped to some extent.
- (3) It is proposed that the lot be used for parking of automobiles belonging to on-duty firemen assigned to the station on 13th Street. The lot would also be used by doctors and clinic personnel of the Police and Fire Clinic which is housed on the third floor of the Fire Station Building.
- (4) The subject lots are being leased from the owner by the firemen and the current lease runs for one year subject to renewal.
- (5) The Department of Highways and Traffic offers no objection to the granting of this appeal stating: "The establishment of this private parking lot for the use of fire department personnel stationed at the fire house across the street will relieve the parking problems for on duty firemen and should create no traffic problems on 13th Street."

(6) No objection to the granting of this appeal was registered at the November public hearing.

(7) By letter dated December 9, 1966, the Board notified the appellant that his request to establish a parking lot had been granted for a period of five (5) years. As conditions of the Board's action, appellant was required to erect a forty-two (42) inch brick wall along the frontages on 13th and L Streets and pave the lot with an all-weather impervious surface.

(8) At the December 14, 1966, public hearing, the lessee of the parking lot appeared and asked the Board to relieve them of the requirement of erecting a 42" brick wall. It was stated that the lot would only be used by firemen of Engine Co. No. 16 and the firemen of Engine Co. No. 2, squad 1, and the clinic personnel on the third floor of Engine Co. No. 16. Under the terms of the lease, the owner need only give thirty (30) days notice before terminating the lease. The lot is supported by the individual firemen and the cost of erecting a wall, for what might be a very temporary period, would be feasible.

(9) No opposition was registered at the December hearing.

OPINION:

We are of the opinion that the establishment of this parking lot will not create any dangerous or otherwise objectionable traffic conditions, that the present character and future development of the neighborhood will not be adversely affected, and that the lot is reasonably necessary and convenient to other uses in the vicinity. However, the certificate of occupancy shall not issued until the conditions hereafter set forth in this Order are complied with.

This Order shall be subject to the following conditions:

- (a) Appellant shall bring the lot to street grade.
- (b) Appellant shall erect a white ranch type fence (wooden rail fence with criss cross boards).

- (c) Permit shall issue for a period of 5 years, but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.
- (d) All areas devoted to driveways, access lanes and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- (e) An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- (f) No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- (g) 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.
- (h) No other use shall be conducted form 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 structures are otherwise permitted in the zoning district in which the parking lot is located.
- (i) 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.

The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.