

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- May 17, 1967

Appeal No. 9221 S. Greenhoot Fischer, 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 May 22, 1967.

EFFECTIVE DATE OF ORDER - Aug. 4, 1967

ORDERED:

That the appeal for permission to establish a parking lot for a period of five (5) years at 1526-28 - 15th Street, NW., lots 36 and 37, square 194, be conditionally granted in part.

FINDINGS OF FACT:

- (1) The subject property is located in an R-5-B District.
- (2) The property was improved by a 3-story brick house which has been condemned by the District of Columbia. The structure will be razed.
- (3) A petition containing 33 names in support of the establishment of a parking lot is in the file of the case. A petition containing 114 names opposing a parking lot is in the record. Seven persons appeared at the public hearing to oppose this appeal.
- (4) The Department of Highways and Traffic offers no objection to this appeal and states: "The establishment of this private parking lot for the use of residents of the neighborhood should create no adverse traffic conditions on either 15th Street or Church Street, NW. The proposed driveway on 15th Street, however, should be constructed no closer than 25 feet from the extended north curb line of Church Street in accordance with existing regulations."

(5) The record contains a copy of the lease agreement (BZA Exhibit No. 14) between the owner and L.P. Steuart, Inc. who will use the lot for employee parking. The L.P. Steuart Co. is located in the 1400 block of P Street, NW.

(6) The Midway Civic Association Inc. opposes the use of the property as a parking lot.

(7) In BZA Appeal No. 9064, the Board denied the use of lot 37, square 194 as a commercial parking lot.

OPINION:

Under the circumstances existing, we think that this appeal represents a reasonable use of the property. The alternative to the parking lot use is a vacant piece of ground which could become the harboring place for abandoned vehicles and other debris. In addition, the Board would have no control over the vacant property. The parking lot use provides us with an opportunity to oversee the property. With proper control, we believe this area may be an asset to the community.

We think 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 issue until the conditions hereafter set forth in this Order are complied with.

This Order shall be subject to the following conditions:

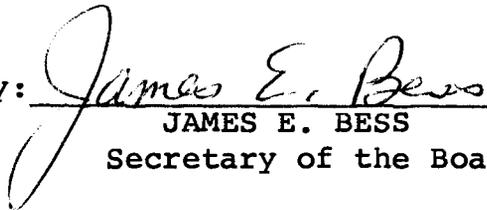
- (a) Permit shall issue for a period of one year, but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.
- (b) All entrances and exits to the lot shall be chained at night and at other times when business are closed.
- (c) A forty-two (42) inch brick wall shall be erected along the 15th Street frontage of the lot and suitable shrubbery planted and maintained in front of the wall.

- (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) Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- (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 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 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.

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

ATTESTED:

By: 
JAMES E. BESS
Secretary of the Board