

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- December 13, 1967

Appeal No. 9436 Capital Property, 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 December 13, 1967.

EFFECTIVE DATE OF ORDER - Jan. 29, 1968

ORDERED:

That the appeal for permission to extend accessory auto parking to include all of lots 831 and 832, square 755 at 213-15 E St., NE., to serve office building located at 415 - 2nd St., NE., or for parking lot for a period of 5 years, be granted conditionally.

FINDINGS OF FACT:

(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 rear yards of two single-family leased dwellings (premises 213-15 E St.) are now used for 8 parking spaces to serve tenants of the office building under order of the Board effective December 16, 1966 (BZA Appeal No. 8974).

(3) The subject lots are within 13 feet of the office building. It is understood that the subject premises will not be razed prior to April, 1968 in order to enable the tenants to find other quarters.

(4) Appellant proposes to raze both buildings and use the two lots for parking for tenants of the office building.

(5) The proposed parking lot will be unattended and will accommodate 18-20 cars (depending on the number of compact cars) and will be closed and chained at night. Parking will be limited to tenants of the office building at 415 - 2nd St., NE. The lot will be supervised, maintained and cleaned by the owner of 415 2nd St.

(6) The property adjoining the subject lot on the east is unimproved and the dwelling adjoining to the west, which was owner-occupied at the time of the previous hearing before this Board, has since been rented to one or more families and are zoned C-2-A, being part of a commercial assemblage extending along 2nd St. to appellant's office building. All of the 2nd St. frontage is zoned C-2-A, a classification which extends in strip pattern along Massachusetts Avenue as well. Appellant has not been able to purchase any part of this commercial property. The Massachusetts Avenue frontage is improved with three large high rise apartment buildings, at least one of which has been converted to partial office use with an approved parking lot adjoining on 3rd St.

(7) Notwithstanding the considerable intensification of development within this square, relatively few off-street parking spaces have been provided, with the result that the larger traffic generators along Massachusetts Avenue are inadequately served, or not served at all by off-street parking spaces.

(8) The Department of Highways and Traffic offers no objection to the granting of this appeal and states: "The operation of the small existing parking lot has not created traffic problems on E St. The proposed additional parking spaces should, therefore, have no adverse effect on E St. traffic."

(9) No oral objection to the granting of this appeal was registered at the public hearing. Letters of objection by the Capitol Hill Restoration Society and the Capitol Hill Southeast Citizens Association are on file.

OPINION:

As these parking accommodations are to be used exclusively by the tenants of one building during working hours, 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 will make additional curb parking available.

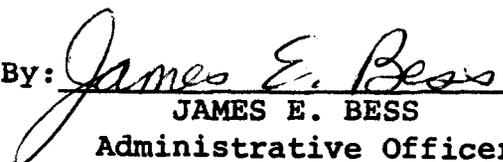
The Board is of the opinion that the granting of this appeal will be in harmony with the general purpose and intent of the Zoning Regulations and will not tend to have an adverse impact on neighboring property in accordance with the Regulations.

This Order shall be subject to the following conditions:

- (a) Permit shall issue for a period of five years only, but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by law.
- (b) Appellant shall erect a 42-inch brick wall 13 inches thick and having a decorative coping along the E St. frontage of the parking lot with a return along the west line of the lot to the front of the adjoining building, but only if such building does not extend to the building restriction line, otherwise no return is needed.
- (c) Appellant shall extend the present Dubois fence to the rear lot line.
- (d) That portion of the lot to be used for parking shall be paved and graded in accordance with the provisions of Section 74 of the Regulations.
- (e) 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.
- (f) The five year period of this Order shall begin on the date of razing of the present dwellings, but in no case later than April 1, 1968.

BY ORDER OF D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:   
JAMES E. BESS  
Administrative Officer