



2013 SEP -3 PM 3:48

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Arthur Jackson, Case Manager
Joel Lawson, Associate Director Development Review
DATE: September 3, 2013
SUBJECT: BZA Case 18496, 4435 35th Street NW Modification of Special Exception Conditions

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) **supports** the request made in accordance with § 3129.7 to modify a special exception approval condition associated with the Board of Zoning Adjustment (BZA) order referenced above. Specifically, the original applicant requested in a letter to the Board dated July 24, 2013, the modification of approval condition no. 3 to extend the operating hours of the subject accessory parking lot by four hours *from 8:00 AM to 9:00 PM to 6:00 AM to 11:00 PM.*

No other change to the current conditions or additional zoning relief was included in this request.

II. BACKGROUND

BZA Order 18496 conditionally granted special exception approval to continue operation of the existing 14-space parking lot on the subject property as an accessory use to the one-story office building located across the alley at 4435 Connecticut Avenue NW. The BZA action continued the previous daily parking lot operating hours of 8:00 AM to 9:00 PM. The applicant subsequently entered into negotiations with a new tenant for the lease space of the associated building. The new tenant would like parking lot operating hours extended to 6:00 AM to 11:00 PM.

OP does not oppose extending the operating hours of this accessory parking facility.

Additionally, OP noted that existing BZA order conditions do not explain what property is associated with the subject accessory parking facility. For the sake of clarity, OP also suggests modifying approval condition nos. 1 and 2 to include this information. These proposed changes are shown in attached Exhibit 1 as ~~stricken~~ text with new text in **BOLD** and underlined.

The applicant did not express any concern about this suggestion.

III. AGENCY COMMENT

When contacted by OP about the proposed change in the parking facility operating hours, the District Department of Transportation did not express any concern.

IV. COMMUNITY COMMENT

On July 26, 2013, Advisory Neighborhood Commission (ANC) 3F voted unanimously to support extending the (daily) parking lot operating hours to 6:00 AM to 11:00 PM.

Attachment Exhibit 1 BZA Order 18496 Approval Conditions and Proposed Changes

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18496

EXHIBIT NO. 35