

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR



August 20, 2014

VIA FIRST CLASS MAIL

Hwa Ji Golden
2608 Urbana Drive
Silver Spring, MD 20906

NOTICE TO DISCONTINUE USE

This is official notice ("Notice") from the Department of Consumer and Regulatory Affairs ("DCRA") that you are to immediately discontinue using property at Square 2945 Lot 852 ("the premises"), located on Tuckerman Street NW and at the rear of 6400 Georgia Avenue NW, as a parking lot.

On November 7, 1989, the Board of Zoning Adjustment ("BZA") granted a special exception allowing the premises to be used as an accessory parking lot for tenant use. Because the premises are zoned R-1-B, this approval was needed to use the premises for this purpose. See 11 D.C.M.R. § 213. However, the BZA order expired on November 17, 1994 which was five (5) years after the order took effect. As a result, at the current time there is no legal right to use the premises as an accessory parking lot. Pursuant to the Zoning Regulations, "[n]o... premises shall be used... except in conformity with" the regulations. 11 D.C.M.R. § 101.5. Because the use of the premises no longer complies with the Zoning Regulations, you are directed to immediately cease using the premises as a parking lot.

If you wish to continue using the premises as an accessory parking lot, you must obtain a special exception from the Board of Zoning Adjustment.

If you continue to operate in violation of the District of Columbia Zoning Regulations, DCRA will proceed with enforcement action.

RIGHT TO APPEAL

You have the right to appeal this notice by filing an appeal with the District of Columbia Board of Zoning Adjustment, 441 4th Street N.W., 2nd Floor South, Washington, D.C. 20001 within sixty (60) days of receipt of this Notice. 11 D.C.M.R. § 3112.2.

Any questions about this Notice may be directed to my office at 202-442-4652.

8/29/2014

Date

4566
Matt LeGo

Matt LeGrant, Zoning Administrator

BEFORE THE BOARD OF ZONING ADJUSTMENT, D.C.

Application No. 12253 of Louis Burman, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Sub-section **3101.48**. Applicant seeks permission to continue the operation of an accessory parking lot in the R-1-B District at rear of **6400** Georgia Avenue, N.W., Lots **836** and **842**, Square **2945**.

HEARING DATE: December 15, **1976**

DECISION DATE: December **21**, **1976** (Executive Session)

FINDINGS OF FACT:

1. Applicant seeks permission to continue the operation of the subject parking lot which has been in existence for twenty-five years.
2. The said lot is located in an R-1-B District, abutting an R-1-B type single family residential area to the west, Tuckerman Street to the south and public alleys to the north and east. The access to the parking lot is from Tuckerman Street.
3. The parking lot provides off street parking for **tenants and** their customers for the adjacent commercial building known as 6400 Georgia Avenue, N.W.
4. Both the Department of Transportation and the MPO approved the continuance of the subject parking lot.
5. No **opposition** to the application was voiced at the public hearing.
6. An inspection of the subject premises evidences that the conditions imposed by prior order of the BZA are enforced.

CONCLUSIONS OF LAW:

Based on the record the Board of Zoning Adjustment finds that the use herein is reasonably necessary or convenient to the **neighborhood** and is so located and all facilities thereof are so designed that they are not likely to become objectionable to adjoining or nearby property because of noise, traffic, or other objectionable conditions.

Accordingly, it is ORDERED that this application is
GRANTED for five (5) years SUBJECT TO THE **FOLLOWING CONDITIONS:**

a. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.

b. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.

c. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.

d. No vehicle or any part thereof shall be permitted to project over any lot or building line or an or over the public space.

e. 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.

f. 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 or otherwise permitted in the zoning district in which the parking lot is located.

g. 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.

VOTE: 3-0 (William F. McIntosh, Richard L. Stanton and William S. Harps).

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

ATTESTED BY: Arthur B. Hatton
ARTHUR B. HATTON
Executive Secretary

FINAL DATE OR ORDER: 2-18-77

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS
ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT
IS **FILED** WITH THE DEPARTMENT OF HOUSING **AND** COMMUNITY DEVELOP-
MENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF
THIS ORDER.