

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - January 14, 1970

Appeal No. 10295 National Bank of Washington, Robert Nash and Donald Nash, Trustees, appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried, with Arthur B. Hatton dissenting, the following Order of the Board was entered at the meeting of January 20, 1970.

EFFECTIVE DATE OF ORDER - June 26, 1971

ORDERED:

That the appeal for permission to reinstate BZA Orders 8391 and 8419 and to amend said Orders to allow 1.2 FAR in lieu of 1.1 FAR for apartment development at westside of Benning Road, SE. between 46th Street and Hanna Place, SE., Lots 292-295, 273-280, 824, 253-256, 150-172, 67, 812, 49-66, 2, 800, 801, 3, 231-238, 247-252. Square 5359 and Lots 99-118, Square 5358, be conditionally granted.

That the effective date November 3, 1970 in the previous Order be changed to June 26, 1971.

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

ATTESTED:

By: \_\_\_\_\_



GEORGE A. GROGAN  
Secretary of the Board

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 DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - January 14, 1970

Appeal No. 10295 National Bank of Washington, Robert Nash and Donald Nash, Trustees, appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried, with Arthur B. Hatton dissenting, the following Order of the Board was entered at the meeting of January 20, 1970.

EFFECTIVE DATE OF ORDER - Nov. 3, 1970

ORDERED:

That the appeal for permission to reinstate BZA Orders 8391 and 8419 and to amend said Orders to allow 1.2 FAR in lieu of 1.1 FAR for apartment development at westside of Benning Road, SE. between 46th Street and Hanna Place, SE., Lots 292-295, 273-280, 824, 253-256, 150-172, 67, 812, 49-66, 2,800, 801, 3, 231-238, 247-252, Square 5359 and Lots 99-118, Square 5358, be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-5-A and R-2 District.

2. The Board on October 19, 1965 in Appeals No. 8391 and 8419 approved a variance from the floor area ratio requirements of the R-5-A District and a variance from the use provisions of the R-2 District to permit a combined FAR of 1.1 on the entire subject site, and permission to park on lots other than the lots upon which the main buildings are located on the westside of Benning Road between G and H Streets, 47th Street and east of G Street, SE., Lots 292-295, 273-280, 824, 253-256, 150-172, 67, 812, 49-66, 2,800, 801, 3, 231-238, 247-252, Square 5359 and on the eastside of 47th Street, north of G Street, SE., Lots 99-118, Square 5358.

3. Appellant requested that BZA Orders No. 8391 and 8419 be reinstated and amended to allow a 1.2 FAR in lieu of 1.1 FAR.

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4. Appellant has been unable to commence construction within the six (6) month period allowed under the building permit secured under Appeals No. 8391 and 8419.

5. No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

We incorporate here the Orders issued in Appeals No. 8391 and 8419, effective October 19, 1965. It is concluded that the facts remain as they were on the date of the previous Orders and the granting of this appeal is consistent with the previous Orders.

This Order shall be subject to the following conditions:

- [a] That a covenant shall be provided for accessory parking.
- [b] The appeal is granted for a variance on the FAR of 1.5 instead of the 1.2 FAR as requested by appellant.

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

ATTESTED:

By: \_\_\_\_\_

  
PATRICK E. KELLY  
Secretary of the Board

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 DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.