

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - March 17, 1971

Appeal No. 10404 Raymond-David Construction, Inc., appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of March 23, 1971.

EFFECTIVE DATE OF ORDER - May 25, 1971

ORDERED:

That the appeal for Reconsideration and/or Rehearing for variance from the provisions of the R-2 District to permit subdivision for rowhouses, semi-detached houses and variance from the side yard, lot occupancy, floor area ratio, minimum lot area and width requirements and from Section 7205 to permit parking in front of and less than ten (10) feet of building and three (3) feet from side property line adjoining 5247 Karl Place, NE., Lots 12-16, Square 5205, be denied.

OPINION:

The appellant appeared at the March 17, 1971 public hearing and requested the Board to reconsider its denial of that portion of the appeal dealing with rowhouses. The Board in executive session denied the appellant's request for reconsideration in that the appellant has failed to comply with the requirements of Section 8204 of the Zoning Regulations.

The appellant shall construct semi-detached houses only per Condition (1) of the original Order of the Board, effective November 13, 1970.

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.

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - May 13, 1970

Appeal No. 10404 Raymond-David Construction, Inc., appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of May 19, 1970.

EFFEKTIVE DATE OF ORDER - Nov. 13, 1970

ORDERED:

That the appeal for variance from the provision of the R-2 District to permit subdivision for rowhouses, semi-detached houses and variance from side yard, lot occupancy, floor area ratio, minimum lot area and width requirements and from Section 7205 to permit parking in front of and less than 10 feet of building and 3 feet from side property line adjoining 5247 Karl Place, NE, Lots 12-16, Square 5205, be partially granted.

FINDINGS OF FACT:

1. The subject property is located in an R-2 District.
2. The subject property is an unimproved lot.
3. Appellant proposes to subdivide the subject property in order to construct rowhouses and semi-detached houses.
4. Appellant alleged that due to the size of the lot because of an easement given to the District of Columbia, a variance is required to construct the proposed houses with parking in front of and less than ten (10) feet from the building. Appellant also alleged that the driveway entrances and parking pads will be constructed of concrete. When the proposed alley is put in, parking for lot 15 will be constructed at the rear of the house.

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5. There was considerable neighborhood opposition to the granting of this appeal on the grounds that the rowhouses would overcrowd the neighborhood and its schools.

OPINION:

We are of the opinion that appellant has failed to prove a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will not result in peculiar and exceptional practical difficulties or undue hardship upon the owner.

Further, we hold that the requested relief cannot be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

We are also of the opinion that the parking requested by the appellant can be granted without creating any dangerous or otherwise objectionable traffic conditions and that the present character and future development of the neighborhood will not be adversely affected by the proposed parking.

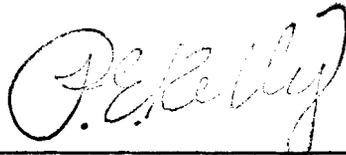
This Order shall be subject to the following condition:

1. The appellant shall construct only semi-detached houses as shown on BZA Exhibit 12A and 13.

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.