

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - June 17, 1970

Appeal No. 10419 Dr. Christopher N. Photakis, 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 June 23, 1970.

EFFECTIVE DATE OF ORDER - August 19, 1970

ORDERED:

That the appeal for variance from the provisions of Sect. 7205 to permit parking space in front of and less than 10 ft. from building at 2922 Newark Street, lot 859, Square 2082, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-1-B District.
  2. The subject property is improved with a two (2) story single family dwelling with Dental Office.
  3. Appellant proposes to construct a parking space in front of and less than ten (10) feet from the single family dwelling.
  4. Appellant alleged that due to the close proximity of his single family dwelling to the commercial District he has been unable to park in front of his home. He also alleged that he has no access to his rear yard for parking and that the parking space will be for his personal use, not for the use of his patients.
  5. No opposition was registered at the public hearing to the granting of this appeal, however, the file contains letters in opposition to the granting of this appeal.
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6. The Board in Executive Session June 23, 1970 granted appellants appeal.

7. The opposition on June 25, 1970, requested a rehearing stating that the plat on file indicated that there was sufficient room on the east side of the building and premises 2922 Newark Street, N. W., for a driveway and parking space obviating the necessity of developing a parking space directly in front of the building.

8. The Board at The Public Hearing July 15, 1970 heard the opposition argument for rehearing and/or reconsideration.

9. In Executive Session July 21, 1970 the Board denied unanimously the oppositions request for rehearing and/or reconsideration.

OPINION:

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can 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.

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 OF 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.