

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - August 12, 1970

Appeal No. 10486 Hilda Kaber, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried, with Mr. Arthur B. Hatton dissenting, the following Order of the Board was entered at the meeting of August 18, 1970.

EFFECTIVE DATE OF ORDER - September 11, 1970

**ORDERED:**

That the appeal for variance from the requirements of Section 7201.3 to permit waiver of 2 off-street parking spaces for 3 unit apartment building at 222 Portland St., SE., lot 9, Square 6001, be granted.

**FINDINGS OF FACT:**

1. The subject property is located in an R-5-A District.
2. The subject property is improved with a two (2) story brick building containing three (3) apartments.
3. Appellant requests a waiver of the required parking spaces for the apartment building.
4. The appellant alleged that there is not sufficient room to park on the property and that the tenants don't have automobiles so there is no need for the parking. Appellant also alleged that there was sufficient street parking on both sides of Portland Street and there are no houses on the south side of Portland Street.
5. No opposition to the granting of this appeal was registered at the public hearing.

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**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 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.