

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - October 14, 1970

Appeal No. 10558 Rekab, 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 November 24, 1970.

EFFECTIVE DATE OF ORDER - January 27, 1971

ORDERED:

That the appeal for variance from the rear yard requirements of the SP District and to erect SP office building with roof structures in accordance with provisions of Section 3308 be unanimously granted, at 1709 New York Avenue, N.W., lots 828 and 837 in Square 170.

FINDINGS OF FACT:

1. The subject property is located in an SP District.
2. The property is presently an unimproved lot with an area of 29,325.0 square feet.
3. Appellant proposes to construct an eight-story office building on the property.
4. Appellant alleged that the area of the office building is 161,288.0 square feet and total area of the roof structure is 10,675.0 square feet. The FAR of the building without roof structure is 5.5 and the FAR of the roof structure is .36.
5. The penthouse of the proposed office building will house elevator machinery and mechanical equipment.
6. The material and color of the street facade of the building and roof structure will be buff precast stone.

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7. The appellant further requested a variance from the rear yard requirements alleging that the rear yard which is proposed is in excess of the required rear yard. However, due to the irregular shape of the lot the appellant wants to average the depth of the rear yard from a measurement of zero feet zero inches at the easterly side of the property to approximately 40 feet at the western extremity of the property, making the rear wall parallel to the front wall.

8. This appeal was filed and heard under plan by Vlastimil Koubeck, AIA, Architects, drawings 1, 2, 9 and 10, approved as noted by Mr. Arthur P. Davis, member of the board, on November 24, 1970.

9. No opposition was registered at the Public Hearing to the granting of this appeal.

OPINION:

The Board concludes that the roof structures of this proposed Office Building will harmonize with the street frontage of the building in architectural character, material, and color. The roof structures are in harmony with the prupose and intent of the Zoning Regulations and will not tend to affect adversely the use of nearby and adjoining property.

We are also 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.

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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.