

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - November 18, 1970

Appeal No. 10593 Park Skyland, 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 - June 14, 1971

ORDERED:

That the appeal for variance from the side yard, floor area ratio, use provisions and for parking in front and within 10 feet of building at Wagner and 24th Streets, S. E., Parcels 220/32, 220/33 and lot 819, Sq. 5740 be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-5-A District.
2. The property is currently unimproved lots.
3. The appellant proposes to erect four row houses and six semi-detached houses on subject property as shown on BZA Exhibit 9.
4. The four row houses will have parking in the front and the semi-detached houses will have parking on the side. The semi-detached houses will be built on every other lot line as shown on Exhibit 9.
5. The appellant appeared at the May 12, 1971 Public Hearing and presented plans (Exhibit 10) showing a cul-de-sac which has not been closed.

Appeal No. 10593

PAGE 2

June 14, 1971

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

OPINION:

We are of the opinion that appellant has proven 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 substantial impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

This appeal is granted to permit this variance as this date is on the grounds that such construction would have been legal when this appeal was filed.

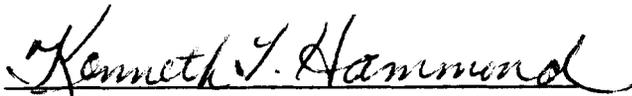
Conditions:

- A. When the cul-de-sac is closed the appropriate portion of it will become part of this lot as shown on the original plans (BZA Exhibit No. 9).

The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.

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

ATTESTED:

BY:   
KENNETH T. HAMMOND  
Acting Secretary of the Board

Appeal No. 10593  
PAGE 3  
June 14, 1971

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.