

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- December 8, 1971

Appeal No. 10690 Gray Capitol Properties, Inc., appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried unanimously, the following Order of the Board was entered at the meeting of December 14, 1971.

EFFECTIVE DATE OF ORDER -- March 23, 1972

ORDERED:

That the appeal for permission to erect row dwelling in R-5-A District in accordance with the provisions of Section 3105.42 at 61st Street, N. E. between Clay and A Streets, N.E., lots 41, 42, 43, 44, 45 in Square 5272 be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-5-A District.
2. The property is presently unimproved vacant lots.
3. Appellant requests permission to erect row dwellings in the R-5-A District.
4. The appellant proposes to build five (5) four-bedroom units (See BZA Exhibits #8 and #9).
5. The Board of Education stated their capacities will be sufficient to support the expected increase from this project.
6. The Department of Highways and Traffic offered no objection to the project proposed and also stated the grading plan (BZA Exhibit #7) will have little effect on existing or proposed street and traffic patterns.
7. The National Capital Planning Commission at its meeting on October 7, 1971 recommended to the Board of Zoning Adjustment that it deny the application to construct five rowhouses because the proposed plan does not conform to the Comprehensive Plan for the National Capitol.

Appeal No. 10690
March 23, 1972
Page 2

8. The Office of Housing Programs stated through the Assistant to the Mayor, Mr. James G. Banks:

"Insofar as satisfying the sought after objective of promoting home ownership in the R-5-A Districts the proposal has merit since homes would be made available to low income purchasers under Section 235 of the Housing Act. I have been informed however, that the site in question falls within the boundaries of Watts Branch Park. Furthermore, Watts Branch Park is currently in the process of being transferred from the National Park Service to the D. C. Department of Recreation. Development of land which has been earmarked for future park expansion would be undesirable and would at this time establish a poor precedent in view of the pending transfer of jurisdiction. I, therefore, recommend denial of the proposed development."

9. There was no opposition registered at the public hearing as to the granting of this appeal.

OPINION:

The District of Columbia has the power of condemnation of any land and until such time as condemnation or any other process is made, the property owner has a right to develop this property in a legal manner.

The Board is of the opinion that the granting of the requested appeal will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to adversely affect the use of neighboring property.

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

ATTESTED:

By: _____
GEORGE A. GROGAN, 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 DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.