

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - June 16, 1971

Appeal No. 10819 Louis Fitzgerald, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with Mr. Scrivener and Mr. Mackey absent the following Order of the Board was entered at the meeting of September 21, 1971.

EFFECTIVE DATE OF ORDER - November 26, 1971

ORDERED:

That the appeal for variance from provisions of Section 3302.3 to permit screening wall for parking garage under apartment building and roof structures in accordance with Section 3308 on northeast corner of N. Hampshire Ave and H St., N.W., lots 9-16, Square 30 be Granted.

FINDINGS OF FACT:

1. The subject property is located in a R-5-D District.
2. The property is improved with residential family houses and parking lot.
3. Appellant proposes to construct a eight story high-rise apartment house with 80 family units consisting of one and two bedroom apartments.
4. The BZA staff report recommended approval of the proposed penthouse structure and screening wall for parking garage under apartment buildings in compliance with Section 3308 of the D.C. Zoning Regulations.
5. Appellant stated at the Public Hearing, that the loading dock for the apartment will be on 24th Street.
6. Opposition was registered at the Public Hearing as to the granting of this appeal.

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.

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Opinion (Cont'd)

The Board approves the plan submitted by appellant which shows the use of brick and windows at the garage level similar to those of the apartment building hereafter known as plan #1 which will architecturally and aesthetically carry out the theme of the entire building.

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

ATTESTED

By: _____
 GEORGE A. GROGAN
 Secretary of the Board