

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- August 30, 1972

Application No. 11121 James E. Caskey, Jr., appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and carried in the absence of Mr. Scrivener, the following Order of the Board was entered at the meeting of September 25, 1972.

EFFECTIVE DATE OF ORDER -- November 6, 1972

ORDERED:

The application of James E. Caskey, Jr., for variance from Section 7202.1 to permit waiver of one off-Street parking space at 510 C Street, N.E., Lot 804, Square 837, be granted.

FINDINGS OF FACT:

1. The property at issue is a large three story structure plus basement located in a C-2-A Zone. (Community Business Center/Medium Density). It is abutted on the West by a gas station and private homes. On the East by residential homes.
2. The application herein is for a variance from Section 7202.1 of the D.C. Zoning Regulations which requires one parking space for each two dwelling units.
3. The building has been used variously as a warehouse and as a funeral home while zoned commercially. But the neighborhood scheme is residential apartments and one-family dwellings.
4. The structure is too large for a one family dwelling but four apartment units could be accommodated nicely.
5. Off street parking as required by the Zoning Regulations is a physical impossibility for building as there exists no space nor any alley access to the backyard area.

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6. To require owner to create space for parking this satisfying the Regulations would work a financial hardship on him.

7. The owners of the abutting and residential properties have no objections to the proposed variance.

8. Statements in support of the variance requested were submitted by adjoining property owners with the general consensus being favorable, as an improvement to the neighborhood.

9. The character of the proposed variance for a four unit apartment building is such that parking will be of lesser consequence compared to commercial use of the structure.

OPINION:

This request concerns a four story building presently used as a dwelling on the first floor with the remaining floors unoccupied. The building as reflected by the records is Zoned C-2-A and has previously housed, a funeral parlor and a warehouse.

Zoning Regulations require C-2-A Zones used as residential units to provide one parking space for each two dwelling units. This is a physical impossibility for the structure and to insist said parking spaces be provided would work a financial hardship upon the owner.

The proposed change to the structure will result in the building being returned to a residential character which will be in accordance with the surrounding neighborhood. It will house four apartments and will have no provision for two off-street parking spaces.

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Surrounding neighbors and the Capitol Hill Restoration Society have submitted statements indicating understanding and agreement to the variance.

Therefore the Board finds that good cause has been demonstrated to permit the variance and the application is granted.

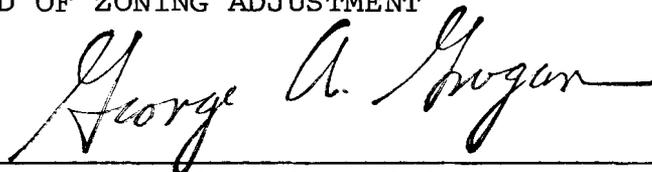
We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

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: _____



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.