

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- October 18, 1972

Application No. 11221 27th and R Street Corporation, appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and carried in the absence of Messrs. Mackey and Scrivener, the following Order of the Board was entered at the meeting of November 1, 1972.

EFFECTIVE DATE OF ORDER -- November 17, 1972

ORDERED:

That the application for permission to erect five row dwellings and two semi-detached dwellings in accordance with Section 3105.42 and variance from side yard requirements at 27th Street between Q and R Streets, S. E., lots 51, 52 and 59, Square 5586, be GRANTED.

FINDINGS OF FACT:

1. The subject property is located in an R-5-A District.
2. The property is presently unimproved and appellant requests permission to erect five row dwellings and two semi-detached dwellings on the subject site.
3. The proposed construction will provide superior housing compared to the type of apartments now in the immediate vicinity and improve the general appearance of the neighborhood.
4. The site of the proposed development is a moderately sloping site with no trees existing or otherwise indicated on the site plan.
5. The buildings are arranged perpendicular to 27th Street allowing good morning and evening light and air.
6. The plans that were submitted by the appellant show that the rear yards are large and should provide adequate space for lawn, garden and recreational uses.
7. The Board of Education of the District of Columbia estimated that the proposed project will generate eleven children and that by September, 1973 when the Orr Elementary School replacement is completed, the area will accommodate the additional student impact.
8. The Department of Highways and Traffic offered no objection to the proposed construction in that tenants will have excellent access to arterial streets such as Pennsylvania Avenue for private

vehicular traffic.

9. The National Capital Planning Commission recommended favorably to the Board of Zoning Adjustment that the proposed development be granted.

10. At the public hearing there was no opposition as to the granting of this application.

OPINION:

The Board has reviewed this application to construct seven row houses under Paragraph 3105.42(b) and finds that the proposed development conforms in density and type of house with the General Land Use Objectives.

The Board also finds that the construction of rowhouses for sale fulfills the objectives necessitating the review process under Section 3105.42 and therefore approves the subject application. The Board is further of the opinion that since the application for the construction of the row houses will take several months after its approval, the Orr Elementary School replacement will be ready at approximately the same time as the row houses are ready for occupancy.

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 fo 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.