

Before the Board of Zoning Adjustment, D. C.

Application No. 11437, of Nancy G. Downs, et al, pursuant to Section 8207.2 of the Zoning Regulations, for a special exception to extend an office building 35 feet into the R-3 zone with parking spaces and for permission to park in the R-3 zone beyond the 35 feet extension as provided by Section 3101.48, at 2400 Wisconsin Avenue, N. W., Lot 838, Square 1300.

HEARING DATE: October 17, 1973

EXECUTIVE SESSION: November 20, 1973

FINDINGS OF FACT:

1. The property is vacant and is located in C-2-A and R-3 zones.

2. The property in question is also involved in a planned unit development filed with the Zoning Commission.

3. Applicant proposes to erect a five (5) story office building. They seek permission to extend the basement thirty-five (35) feet into the R-3 portion of the lot. Applicant also requests permission to park in the R-3 zone.

4. A portion of the thirty-five (35) feet extension is in the C-2 zone and will be below the ground. The area at the rear of lot 838 will not be used and is not a part of this application. If this application is granted, applicant stated that a portion of the lot would be resubdivided out of lot 838.

5. The proposed resubdivision of lot 838 would create a substandard size lot.

6. The instant BZA Application does not conflict with a Zoning Commission Planned Unit Urban Development (PUD) application, which has not been finally approved, and involves the subject property in a stage of development 15 to 20 years in the future.

7. Applicant is required to provide nine parking spaces, they will provide ten, 6½ spaces will be in the R-3 portion of the lot. Egress and ingress will be from 37th Street only.

8. It was submitted by applicant that if the Board denied the 35 feet extension it would not affect the effective potential of the proposed building.

9. The Department of Highways and Traffic offered no objection.

10. Opposition felt that 9 parking spaces were not adequate for this type of office building. They also felt the property should be utilized in accordance with the R-3 zone. 37th Street is already congested with traffic, the granting of this application would only compound the problem.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact, the Board is of the opinion that both the proposed access to parking and the resubdivision of lot 838 would have an adverse effect upon the present character and future development of the neighborhood.

ORDERED:

That the above application be DENIED.

VOTE: 3-2 (Messrs. Harps and Hatton Dissenting.)

ATTESTED By: James E. Miller
JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER: JAN 07 1974