

Before the Board of Zoning Adjustment, D. C.

Application No. 11774 of Hessick Investment Corporation pursuant to Section 8207.2 and 8207.1 of the Zoning Regulations for a special exception (R-5-A design review) to permit the construction of 12 row dwellings and 2 semi-detached single family dwellings and variances from the side yard requirements of Section 3305.1 and 3305.4, and a variance from Section 7205.12 to allow parking in front of a single family dwelling at the premises located at 5210 - 5232 Karl Place, N. E., known as lots 5, 6, 7, 8, 9, 10, 11, 12, 864, in Square 5203 in the District of Columbia.

Hearing Date: November 20, 1974

Decision Date: January 6, 1975

FINDINGS OF FACT:

The applicant appeared before the Board requesting a special exception in the nature of an R-5-A design review and variances from the side yard requirements for 5210 Karl Place, N. E., Lot 5, Square 5209, which as proposed, the structure thereon will not provide an eight (8) feet side yard, and two (2) one foot side yard variances for the structures located at 725 and 727 Division Avenue, N. E., lot 846, Square 5203. The applicant further requested fourteen (14) variances to permit the parking in front of a dwelling at the proposed structures to be located on Karl Place and Division Avenue, N. E.

The Board received reports and recommendations from all of the District of Columbia Agencies which are required referral by the Board as prescribed by Section 3105.42 of the Regulations. The Board finds that proposed development to consist of eleven (11) row dwelling and three (3) semi-detached dwellings will have a minimal impact on the enrollment of the public school which the area wherein the proposed construction is located, that no objectionable traffic conditions would be created by the development, and that the proposal for development before the Board is compatible with "General Land Use Objectives: 1970/1985" element of the comprehensive plan for the National Capitol and is in harmony with the existing land use patterns of this area of North East Washington, D. C.

No citizen opposition contested the subject application, and the Board finds that a practical difficulty exists to the owner of the subject property as a result of this proposal to make a beneficial use of this land and that the requested relief does not suggest objectionable or an adverse affect to the use of nearby properties. Further, the Board finds that the proposed construction design is consistent with the purpose of the Zoning Regulations to provide for adequate residential environment.

Wherefore, based upon the above findings and the record, the Board concludes that the applicant has complied with the variance clause of the Regulations (Section 8208.11) and that the proposed construction design is in harmony with nearby and adjoining property and this application, if granted, will not have an adverse affect on nearby or adjoining property or substantially impair the meaning and intent of the Zoning Regulations.

ORDER

ORDERED: That the applicant's requested special exception and relief from strict application of the Regulations be and is hereby GRANTED consistant with Exhibit Plan Y of record.

VOTE: 3-0 (Mr. Klauber did not hear the case, Lilla Burt Cummings, abstaining.)

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

ATTESTED BY: *James E. Miller*
JAMES E. MILLER,
Secretary to the Board

FINAL DATE OF ORDER: **JAN 10 1975**

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.