

Before the Board of Zoning Adjustment, D. C.

Application No. 11847, of Mary-Stuart Price Diefenbach, pursuant to Section 8207.11 of the Zoning Regulations, for a variance from the off-street parking requirement provided for by Section 7202.1 of the Zoning Regulations and permission to operate the premises at 1423 27th Street, N. W., in a C-1 District, Lot 75, Square 1262, as a two-family flat.

HEARING DATE: March 31, 1975

EXECUTIVE SESSION: April 16, 1975

FINDINGS OF FACT:

1. The subject property is located in a C-1 District and is presently operated as a two-family flat.

2. This property has been operated as a two-family flat since its purchase by the Father of the applicant in 1952.

3. At no time since the purchase of the property by the Father of the applicant has off-street parking, as required by Section 7202.1 of the Zoning Regulations, been provided.

4. There are numerous two-family or multi-family dwellings in the immediate vicinity of the subject building which lack off-street parking facilities.

5. As evidenced by the surveyor's plat submitted with the application, Lot 75, Square 1262, has a narrow frontage. The proximity of the building to the street and the lack of access to the rear of the lot from the street renders that part of the lot not occupied by the building unusable for parking.

6. The strict application of Section 7202.1 of the Zoning Regulations would require applicant to:

(1) operate the subject building as a one-family dwelling with substantial loss of revenue; or

(2) obtain commercial off-street parking, the availability of which does not appear on this record, at substantial additional expense to the applicant.

7. No objections were registered at public hearing.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact the Board is of the opinion that the subject property is unusable for parking and strict application of the regulation would result in either substantial loss of revenue or substantial additional expense, the Board concludes that applicant would be subjected to a practical difficulty if her application is not granted.

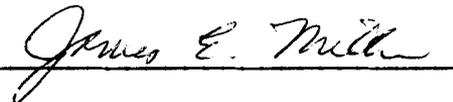
The Board is of the opinion that the subject property has been continuously operated as a two-family flat since 1952 without apparent objection by the owners of adjoining or nearby property and numerous two-family and multi-family dwellings in the immediate vicinity of the subject building lack off-street parking facilities, the Board concludes that the application may 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 Maps.

ORDERED: That the above application be GRANTED

VOTE: 4-1 (Lilla Burt Cummings, Esq. dissenting.)

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

ATTESTED BY:



JAMES E. MILLER  
Secretary to the Board

FINAL DATE OF ORDER: APR 23 1975

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.