

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12428 of Vallie Walker pursuant to Paragraph 8207.11 of the Zoning Regulations for variances to allow an open parking space in front of an existing dwelling and less than three feet from the side lot line (Paragraph 7205.12) and less than ten feet from a dwelling (Sub-sections 7205.2 and 7205.21) in the R-2 District at 531 Hilltop Terrace, S. E., Lot 106, Square 5394.

HEARING DATE: June 15, 1977

DECISION DATE: July 12, 1977

FINDINGS OF FACT:

1. The subject property is located in an R-2 Zone District at 531 Hilltop Terrace, S. E.
2. The property is presently improved with a two story dwelling.
3. The applicant proposes to construct an open parking space on the subject premises.
4. The applicant has provided a 14' side yard, while only 8' is required by the regulations.
5. The regulations require that parking be located a minimum of ten feet from a dwelling. The applicant proposes to locate the space only five feet from the dwelling. Thus a five foot variance is required.
6. The regulations require that parking be located a minimum of three feet from the side lot line. The applicant proposes parking directly adjacent to the side lot line. Thus a variance of three feet is required.

7. The property has adequate space for the installation of a parking pad in the rear yard, but because the property sits on a very steep hill it is not possible to locate the parking space in a position where no variances are required.

8. The applicant had the support of both adjoining property owners, as well as surrounding neighbors.

9. There was no opposition to the granting of this application.

CONCLUSIONS OF LAW AND OPINION:

Based on the above findings of fact and the evidence of record, the Board is of the opinion that the requested variances are area variance, the granting of which requires the showing of a practical difficulty. The Board concludes that a practical difficulty would be created by depriving the owner of the right to park in the proposed space since it is the only practical location for parking on the property. The Board concludes that there would be no adverse effect on the neighborhood. It is therefore ORDERED that this application is hereby GRANTED subject to the following CONDITION:

- a. The parking space must be located behind a line even with the front of the existing dwelling.

VOTE:

3-1 (Walter B. Lewis, Charles R. Norris, William F. McIntosh to grant; Leonard L. McCants, Esq. to deny; Chloethiel Woodard Smith not voting, not having heard the case)

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

ATTESTED By: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 22 AUG 1977

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 HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.