GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 12431, of 5924 Associates, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception (Paragraph 3105.42) to allow sub-division and new residential development comprising eleven (11) row dwellings in the R-5-A District at 903-923 Barnaby Street, S.E. (Square 5924, Lots 64-71).

HEARING DATE: June 15, 1977
DECISION DATE: July 12, 1977

FINDING OF FACT:

1. The applicant seeks a special exception to subdivide the subject property and construct a new residential development comprising eleven row dwellings in the R-5-A District at 903-923 Barnaby Street, S.E. The property is located on the southeast side of Barnaby Street, between Wheeler Road and 9th Street, S.E.

2. The area of the site is 31,500 square feet. It is undeveloped and contains substantial vegetation and tall trees. The site is generally level with an eight foot slope from its east to west boundary. There is parking permitted in front of the site where there are no sidewalks.

3. To the north on the opposite side of Barnaby Street, are two, three and four story apartment buildings known as the Barnaby Garden Cooperative; to the south is a parking lot which serves a three story garden apartment which fronts on Bellevue Street; to the east, in the C-1 District is a parking lot which serves the St. Phillips Pentecostal Church located at the corner of Wheeler Road and Barnaby Street; to the west is a parking area which serves the adjacent garden apartments. The alleys surrounding the site have not been constructed except for a partial alley on the west side which is approximately 40 feet

in length, leading from Barnaby Street to a small parking area.

4. New developments in the area surrounding the site are:
a. The 175 unit Highpoint Townhouse development at Barnaby Terrace and Wheeler Road nearing completion.
b. The completed seven unit row development on Bellevue Street, between Ninth Street and Wheeler Road.
c. The planned 57 unit Granada Development at Wheeler Road and Southern Avenue (24 units completed).
d. The planned 99 unit Bojan Development at Southern Avenue south of the Oxon Run Stream.
e. The completed 22 unit row house development bounded by Barnaby Road, Bonini Road and Southern Avenue.
f. The proposed 86 unit row house development bounded by Barnaby Road, Bonini Road and Southern Avenue.

5. Recreation facilities serving the general area include the Oxon Run Recreational Center at Fourth and Valley Avenue, and the Highland Community School at Second and Valley Avenues. Major commercial facilities serving the area include the Southern Avenue Shopping Center at Southern Avenue and Chesapeake Street, a Giant Food Store east of the Wheeler Road/Southern Avenue intersection and the regional East Gate Shopping Center at Indian Head Highway and Southern Avenue.

6. The revised site plan dated May 23, 1977, showing proposed grading and landscaping supercedes all prior plans for the proposed development.

7. The proposed eleven unit development would have three bedrooms and an in-house garage in each unit.

8. The lot area per dwelling unit is 2,863 square feet which is above the minimum 1,800 square feet requirement for row dwellings.

9. The lot occupancy per dwelling unit is 24%, substantially below the 40% maximum permitted in the R-5-A District.

10. The development is set back forty feet from the front of the buildings to the pavement.

11. The front yards of all units are landscaped with six different types of shrubs and trees; the rear yards, approximately 90 feet in length, are screened from adjacent development to the rear by the use of existing trees.

12. The driveways leading to the garages are approximately 30 feet in length allowing parking space for an additional vehicle.

13. Water run-off from the site is controlled by the placement of a splash back at the rear of each unit.

14. Due to the general level character of the site, minimal regrading will be necessary to accomplish the development.

15. The proposed dwellings exceed the 18 foot minimum width and the 1800 square foot lot area per house and complies with Sub-section 3307.1 of the Zoning Regulations. No variances are required.

16. The Municipal Planning Office, by report dated June 10, 1977, and by testimony presented at the hearing, after reviewing the compliance with Paragraph 3105.42 relating to the provisions concerning light and air, parking, recreation, landscaping and grading, recommended that the application be approved.

17. The Department of Environmental Services, by report dated June 9, 1977, found no objections to the planned development subject to approval of a basic sediment and erosion control plan.

18. The Public Schools of the District of Columbia, by report dated June 15, 1977, had no objection to the application.

19. The Department of Transportation, by report dated July 12, 1977, stated that the vehicular traffic generated by the proposed development will cause no adverse effect on the street system in the surrounding area, that the curb space between driveways will not provide the proper dimension for a legal parking space between driveways and that the site plan indicated a four foot sidewalk width whereas the approved street distribution for Barnaby Road indicates that a six foot sidewalk is required.

20. The Department of Housing and Community Development, by report dated June 13, 1977, recommended favorable action on the application.

21. Advisory Neighborhood Commission 8-C had no objection to the granting of the application provided that the alleys surrounding the site be abandoned or that the developer eliminate one of the houses in order to provide side yards to the two end houses to break the monotonous appearance. In addition, the ANC would like the developer to hire as many subcontractors from the South-East Community as possible.

22. There was opposition to the application by neighborhood residents on the ground that the construction of the subject houses would eliminate parking spaces now being used by the neighborhood residents.

CONCLUSIONS OF LAW:

Based on the record the Board concludes that the proposed site plan is appropriate for the property and that adequate light and air will be provided for all dwellings. Based on the reports of the various government agencies the Board further concludes that adequate public facilities do exist to serve the proposed developments and that the proposed development would not impose upon existing municipal services anything more than a normal and anticipated use. The granting of this application would be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in accordance with said regulations and maps. Accordingly, it is ORDERED that the application is GRANTED subject to the condition that the applicant shall receive the approval of the D.C. Department of Environmental Services regarding the proposed sediment and erosion control plan.

VOTE: 4-0 (Charles R. Norris, William F. McIntosh, Walter Lewis and Leonard L. McCants to grant , Chloethiel Woodward 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: 28 SEP 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 WITH IN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.