

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12579, of Cumbari Associates, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3105.42 to allow subdivision and a new residential development consisting of fifteen units in the R-5-A District at the premises 4300-4328 - 9th Street, S.E., (Square 5924, Lots 91-105).

HEARING DATE: February 15, 1978  
DECISION DATE: March 1, 1978

FINDINGS OF FACT:

1. The subject property is bounded by Bellevue Street, a public alley, Southern Avenue and 9th Street, S.E. It is designated as 4300-4328 - 9th Street, S.E., and is located in an R-5-A District.

2. The subject site is 330 feet in length and 13 feet in width. The area is approximately one acre. It is unimproved.

3. The applicant proposes to build thirteen row houses and two semi-detached houses on the subject property, which will be facing on 9th Street. The rear yards will abut the fifteen foot wide alley in the rear. The subject lots will be re-subdivided to conform to the proposed fifteen houses.

4. All the proposed lots will be one-hundred thirty one feet deep, but the width of the lots will vary from eighteen feet to thirty-six feet. The area of the proposed lots will vary from a minimum of 2,358 square feet to 4,716 square feet.

5. Twelve of the proposed houses will be 20 feet by 34 feet. One is 18 feet by 34 feet and the two semi-detached houses will be 36 feet by 34 feet. All will contain three bedrooms and will be used for single-family residence. Each house will have one parking space with access from the public alley in the rear.

6. The subject property is vacant at this time and is covered with heavy vegetation. The property slopes upward from the corner of Southern Avenue and 9th Street, S.E., to Bellevue Street and also to the alley in the rear. The difference in topography from 9th Street to the alley is approximately 10 feet. This difference in topography will be incorporated in the design of the houses and the design of the site. The houses toward Southern Avenue where the maximum difference in grade occurs, will have railroad tie retaining walls to provide a safeguard against soil erosion.

7. No variances from the Zoning Regulations are required.

8. The neighborhood in which the subject property is located, is developed with a combination of semi-detached and row houses and apartments. The area in this general vicinity is experiencing new residential development and is in the process of being upgraded. Residential development known as Highpoint Barnaby is in the process of being completed at Wheeler Road and Barnaby Terrace.

9. The Municipal Planning Office, by report dated February 10, 1978, recommended approval of the application on the grounds that the construction of the development will have no adverse affect on the neighborhood.

10. By letter of January 10, 1978, the application was forwarded to the Department of Transportation, Department of Housing and Community Development and the Board of Education for their review and recommendations. By letter of January 24, 1978, the Board of Education reported that they found no objection to the proposed dwelling. There would be no impact upon school facilities in the area caused by the construction. The Department of Transportation and Department of Housing and Community Development have not reported to date.

11. There was no opposition to the application.

12. Advisory Neighborhood Commission 8C stated it had no recommendation on the application since it had not been notified. At its request the record was left open until March 1978 to enable the ANC to report. No report was filed.

CONCLUSIONS OF LAW:

Based on the record the Board is of the opinion that the proposed development will increase housing in the District of Columbia and provide home ownership opportunities. The Board concludes that the proposed site plan is standard for this kind of site, and that the development as proposed will provide adequate light and air for the subject houses and will not adversely effect light and air for adjoining properties.

The Board concludes that the granting of the special exception will be in harmony with the general purpose and intent of the Zoning Regulations. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 4-0 (Charles R. Norris, Chloethiel Woodard Smith, William F. McIntosh to GRANT, John G. Parsons to GRANT by PROXY, and Leonard L. McCants not voting, not having heard the case).

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

ATTESTED BY: \_\_\_\_\_

  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: \_\_\_\_\_

8 MAR 1978

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.