

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12653 of Cletis Haywood Freeman, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the parking requirements (Sub-section 7202.1) to permit the conversion of a single family dwelling to a flat in the R-5-A District at the premises 1230 Savannah Place, S.E., Square 5946, Lot 60.

HEARING DATE: May 17, 1978

DECISION DATE: May 17, 1978 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the north side of Savannah Place, S.E. between 12th Place and 13th Street and is in an R-5-A District.

2. The subject lot is 98 feet by 24.55 feet and is improved with a semi-detached dwelling which was constructed prior to May 12, 1958 the effective date of the current Zoning Regulations.

3. The said structure has two separate entrances, one in the front and the other at the side of the building. The said structure is similar to the structures on either side.

4. The structure contains two floors and a basement. The applicant desires to use the first floor and the basement as one dwelling unit and the second floor as another dwelling unit. Each dwelling unit will utilize a separate entrance.

5. While a flat is a permitted use in an R-5-A zone, the applicant, under Sub-section 7202.1 of the Zoning Regulations, must provide one off-street parking space located on the same lot as the building before a Certificate of Occupancy can issue. Applicant cannot provide this space and seeks a variance from the parking requirements.

6. The applicant's one side yard is covered with trees and bushes.

7. Savannah Place on which the subject property is located, is developed with semi-detached houses on either side. The houses are located at the elevation of 3 to 4 feet above the street level. This difference in elevation between the Street and the houses has the effect of preventing the provision of parking on the lot. None of the houses on Savannah Place have parking on the lot. Parking is available on both sides of the street.

8. The applicant had previously requested the same relief as now sought. By BZA Order No. 12112, dated January 19, 1977, the Board granted the variance. The approval expired due to the applicant's failure to apply for a Certificate of Occupancy within the six months period after the effective date of the Order.

9. There was no opposition to the application.

10. Advisory Neighborhood Commission 8C made no recommendation on the application.

11. The Municipal Planning Office, by report dated May 10, 1978, recommended approval of the application.

CONCLUSIONS OF LAW:

Based on the record the Board concludes that because of the condition of this specific piece of property the strict application of Sub-section 7202.1 of the Zoning Regulations would result in an exceptional and undue hardship upon the owner of the property. The Board further concludes that the relief herein can 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 map. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 5-0 (John G. Parsons, Charles R. Norris, Chloethiel Woodard Smith, William F. McIntosh and Leonard L. McCants)

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

