

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12838 of Walden and Associates, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the lot area and lot width (Sub-section 3301.1), percentage of lot occupancy (Sub-section 3303.1) and off-street parking requirements (Sub-section 7202.1) to permit the construction of a row dwelling in the R-4 District at the premises 1028 D Street, N.E., (Square 962, Lot 68).

HEARING DATE: December 20, 1978
DECISION DATE: February 28, 1979

FINDINGS OF FACT:

1. The subject site is located on the north side of D Street between 10th and 11th Streets, N.E. and is known as 1028 D Street, N.E. It is in an R-4 District.
2. The subject site is presently unimproved. There are indications on the property, such as steps leading up to the property and the weathering of bricks on the adjacent house, reflecting that a house had once been constructed on the site, but had been taken down.
3. The applicant's lot is approximately 975 square feet in area and sixteen feet wide. The lot is located between existing rowhouses.
4. The applicant proposes to construct a row house that will occupy sixty-seven per cent of the lot. It will be constructed from side lot line to side lot line.
5. There is no alley access to the rear of the property. Because of that lack and the narrow width of the lot no parking space can be provided on the property.
6. The applicant, to construct the proposed house, requires variances from the lot area, lot width, percentage of lot occupancy and off-street parking requirements of the Zoning Regulations.

7. The proposed row house will conform with the architectural style of the row houses in the neighborhood including a bay window and brick construction.

8. The subject lot is similar in size to the adjoining lots on either side and also to the other lots in the area.

9. The houses in the area do not have on site parking.

10. The applicant testified that his investigation of the immediate neighborhood disclosed sufficient on-street parking. The Board so finds.

11. The applicant purchased the subject house in 1978. He owns the adjoining property at 1126 D Street, N.E.

12. At the Public Hearing the Board requested the Office of Planning and Development to prepare a report. By report dated January 31, 1979 the OPD confirmed the details of the property as testified to by the applicant. It recommended that the application be granted on the grounds that the proposed house will conform to the existing row houses in the area and in the immediate neighborhood. It reported that the request for the needed variances arises from the limited size of the property. The Board so finds.

13. There was no opposition to the application.

14. Advisory Neighborhood Commission 6A made no recommendation on the application.

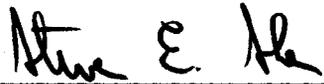
CONCLUSIONS OF LAW:

The applicant seeks area variances, the granting of which requires a showing of a practical difficulty that stems from the property itself. This practical difficulty is inherent in the width and depth of the lot. The row dwelling proposed is comparable to the neighboring dwellings. The Board notes the lack of opposition to this application and the fact that the lot could not be put to any other reasonable use. It would stand idle and probably become a dumping ground for all kinds of litter. The District is in need of housing. The Board concludes that the variances can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 4-0 (William F. McIntosh, Charles R. Norris, Choelthiel Woodard Smith and Leonard L. McCants to grant, Theodore F. Mariani 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: _____

4 JUN 1979

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.