

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12981, of 1332 Vermont Avenue Partnership, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the lot occupancy requirements (Paragraph 7107.23 and Sub-section 3303.1), the rear yard requirements (Paragraph 7107.22 and Sub-section 3304.1) and the closed court requirements (Paragraph 7107.23 and Sub-section 3306.1) to construct a rear addition (garage) to an apartment house, a non-conforming structure, in an R-5-C District at the premises 1332 Vermont Avenue, N.W. (Square 242, Lot 819).

HEARING DATE: August 22, 1979
DECISION DATE: September 5, 1979

FINDINGS OF FACT:

1. The subject property is located in an R-5-C District on the west side of Vermont Avenue, N.W. between N Street and Logan Circle, N.W.
2. The subject site contains 2,632 square feet of land area and is improved with an existing apartment house which is being renovated to contain five units. That use is permitted as a matter-of-right.
3. The applicant proposes to construct a garage across the full width of the lot at the rear. The garage would be capable of accommodating one full-size, nine by nineteen foot parking space, on three smaller parking spaces of less than nine by nineteen foot dimensions. Access to the garage is by way of a fifteen foot wide public alley.
4. The applicant proposes to demolish an existing one car garage which is presently located adjacent to the alley at the rear of the lot. The present garage is in an extremely delapidated condition, and approval for the demolition has been granted by the Joint Committee on Landmarks.
5. The existing building occupies 1,591.0 square feet on the lot. The proposed garage will occupy an additional 563.1 square feet. The total building area of 2,154.1 square feet exceeds the maximum permitted of 1,974 square feet. A variance of 180.1 square feet, or nine percent is required.

6. The proposed garage will be located at the rear of the main building and attached to the main building. It will also abut the rear lot line. No rear yard is thus provided, requiring a variance of the fifteen foot depth of the rear yard.

7. The proposed garage across the full width of the lot turns what is at present an open court into a closed court. A closed court is required to have a minimum area of 350 square feet, and a minimum width of ten feet. The court will have sufficient area. However, because of the projection of an oriel window into the court, at it's narrowest point, the court is only three feet wide. The court is at least nine feet wide for most of its length. The variance required is seven feet.

8. Since the oriel window is an existing feature, the dimensions of the court are not changed by the addition of the new garage.

9. Since the old garage was located on the rear lot line, the location of the new garage adjacent to the rear lot line does not effectively impinge on the required open space at the rear of the lot.

10. The applicant desires to provide the three parking spaces for the use of residents of the building. If the building were constructed under the present Zoning Regulations, two spaces would be required. The proposed spaces would provide secure spaces for the residents, and would help to alleviate a shortage of on-street parking spaces in the area.

11. There was no report from Advisory Neighborhood Commission 2C.

12. There were two letters of support in the record, including one from the owner of the abutting property to the north.

13. There was no opposition to the application either in writing or at the hearing.

CONCLUSIONS OF LAW AND OPINION:

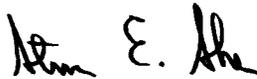
The Board concludes that the requested variances are area variances, the granting of which requires the showing of some exceptional condition or situation of the property which creates a practical difficulty for the owner. The Board concludes that the existing configuration of the building on the property, the size of the lot and the location of the existing garage combine to create the exceptional conditions and the practical difficulty.

The Board concludes that the requested variances will not be adverse to the public good, and notes the lack of objection from an abutting property owner. The Board concludes that the requested relief 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 Maps. It is therefore ORDERED that the application be GRANTED.

VOTE: 4-0 (Chloethiel Woodard Smith, Charles R. Norris, and Leonard L. McCants to GRANT; Ruby B. McZier to GRANT by PROXY; William F. McIntosh 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:

5 NOV 1979

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.