

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13038 of Marion Clifton Blakey, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the prohibition against allowing an open parking space within ten feet of any wall of a multiple dwelling if such wall contains openings designed to provide light or ventilation for such multiple dwelling (Paragraph 7205.22) in an R-5-B District at the premises 1751 Willard Street, N.W., (Square 151, Lot 201).

HEARING DATE: September 12, 1979

DECISION DATE: September 12, 1979 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the north side of Willard Street, N.W., between 17th and 18th Streets, It is in an R-5-B District.

2. The subject site is improved with a two story and basement building which has no side yard. Certificate of Occupancy No. B-100567 was issued for the property on April 26, 1977 for a flat, first and second floors. The building is now vacant.

3. The application proposes to use the subject property as an apartment house consisting of three units. The applicant will occupy the top floor unit.

4. The applicant is required by the Zoning Regulations to provide one on-site parking space for the proposed apartment house. The applicant has a parking site in the rear yard which is nine feet by nineteen feet is required under the Zoning Regulations. The site is located 6.93 feet from the rear wall of the subject multiple dwelling which contains windows. The Zoning Regulations provide that such a parking site must be ten feet from said wall. The depth of the rear yard is 15.83 feet.

5. The windows on the unit closest to the parking site are permanently sealed windows. The windows farthest from the site are approximately fifteen feet above the ground.

6. There were several letters from neighboring residents in favor of the application. There was no opposition to the application.

7. Advisory Neighborhood Commission 1C made no recommendation on this application.

CONCLUSIONS OF LAW:

Based on the record the Board concludes that the applicant is seeking an area variance the granting of which requires a showing of a practical difficulty arising from the property itself. The Board concludes that the depth of the rear yard creates the practical difficulty. The subject dwelling also has no side yards. There is therefore no other place on the property where the parking site could be located.

The Board notes that the neighboring residents support the application and that there was no opposition. The Board further concludes that the application can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zoning plan. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 4-0 (Charles R. Norris, Walter B. Lewis, William F. McIntosh and Leonard L. McCants to grant, Chloethiel Woodard Smith not present, not voting).

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

ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 8 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.