

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13218 of 2301 Connecticut Avenue Investment Partnership, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the off-street parking requirements (Sub-section 7202.1) for construction of a single family dwelling in an R-5-B District at the premises 2027 Kalorama Road., N.W., (Square 2540, Lot 32).

HEARING DATE: April 23, 1980

DECISION DATE: April 23, 1980 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the north side of Kalorama Road between 20th Street and Connecticut Avenue, N.W. and is known as 2027 Kalorama Road, N.W. It is in an R-5-B District.

2. The subject lot is the only unimproved lot in the square. The applicant is in the process of constructing a four story townhouse type structure on the subject property.

3. Sub-section 7202.1 of the Zoning Regulations requires that a minimum of one off-street parking space be provided for a single family row dwelling in the R-5 district. The applicant requesting a variance from this requirement since no parking space can be provided on the lot.

4. All of the existing houses in the square, except one, have access to a rear alley and are thus able to provide on-site parking without necessitating any curb cuts. The houses were all constructed prior to the off-street parking requirements of the Zoning Regulations.

5. The location of the subject lot is unique in that there is no alley access and thus the applicant is unable to provide on-site parking in the rear of the subject site. Further, the location of the building restriction line on the front portion of applicant's property greatly restricts the amount of property available for on-site parking.

6. The original plans for the dwelling called for underground parking beneath the structure and were approved as conforming with the Zoning Regulations on October 3, 1979. Access to the parking was via underground vault being constructed by the same owners of

the adjacent property to the west. In the course of construction, however, the applicant discovered the presence of additional underground fill which makes it impracticable for the applicant to provide the required off-street parking on private property.

7. As the testimony at the hearing indicated, the initial engineering report on the subject property did not anticipate the presence of additional underground fill. In order to work around these on-site conditions, additional caissons would have to be drilled at greater depths. The cost of these caissons plus the structural beams and concrete columns would increase the cost of the project by \$33,000.00.

8. The applicant testified that off-street parking for one or two automobiles will be provided within public vault space under the right-of-way of Kalorama Road pursuant to duly issued permits.

9. There was no opposition to the application.

10. Advisory Neighborhood Commission 1C made no recommendation on the 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 stemming from the property itself. The Board concludes that the unique location of the lot with its lack of alley access, on-site conditions and the location of the building restriction line combine to make strict compliance with the Zoning Regulations unduly burdensome. The Board further notes that off-street parking for one or two automobiles will be provided by the applicant within public vault space. The Board further concludes that the relief 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: 5-0 (Walter B. Lewis, William F. McIntosh, Connie Fortune
Charles R. Norris and Leonard L. McCants to grant)

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

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

FINAL DATE OF ORDER: 7 JUL 1980

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 BUILDINGPERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.