

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13862 of James W. Stewart, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the off-street parking requirements (Sub-section 7202.1) to use the first, second and third floors of the subject premises as a three unit apartment house in a C-2-A District at the premises 225 Florida Avenue, N.W., (Square 3098, Lot 55).

HEARING DATES: November 10, 1982 and January 12, 1983

DECISION DATE: February 2, 1983

DISPOSITION: The Board DENIED the application by a vote of 4-0 (John G. Parsons, William F. McIntosh, Douglas J. Patton and Charles R. Norris to deny, Carrie Thornhill not present, not voting).

FINAL DATE OO ORDER: July 25, 1983

O R D E R

The applicant on August 4, 1983, filed a timely Motion for Reconsideration of the denial of the application. The motion requested that the Board reconsider its decision for the following reasons:

1. The property has been placed on the market for sale twice in recent years and failed to sell due to the economic difficulties foreseen by prospective buyers in using the property as presently configured.
2. It is extremely difficult to rent the third floor of the premises due to the absence of kitchen and bathroom facilities. The high vacancy rate creates a financial hardship on the applicant.
3. The parking impact on the neighborhood would be less than that currently created by use of the premises as a rooming house, contrary to the ANC's position that the granting of the requested relief would adversely impact the parking situation in the area.

Upon consideration of the Motion and its Final Order, the Board concludes that the applicant has failed to establish that the Board had committed any substantial error in deciding the application. The issue of existing adverse parking conditions in the area was presented at the public hearing and considered by the Board. The issue of financial hardship does not justify the granting of an area variance. No materially different evidence has been submitted in support of the Motion for Reconsideration that the Board has not previously considered. Accordingly, it is ORDERED that the Motion is DENIED.

DECISION DATE: September 7, 1983

VOTE: 3-0 (William F. McIntosh, Walter B. Lewis and Charles R. Norris to deny; Carrie Thornhill not voting, not having heard the case; Douglas J. Patton not present, not voting).

BY ORDER THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
\_\_\_\_\_  
STEVEN E. SHER  
Executive Director

SEP 30 1983

FINAL DATE OF ORDER: \_\_\_\_\_

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."

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