

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15219 of Leon and Minnie Broadus, pursuant to 11 DCMR 3107.2, for a variance from the prohibition against allowing an open parking space in the front yard (Sub-section 2116.2) to construct a parking pad for a single-family dwelling in an R-1-B District at premises 6522 Blair Road, N.W., (Square 3345, Lot 818).

HEARING DATE: January 24, 1990
DECISION DATE: January 24, 1990 (Bench Decision)

FINDINGS OF FACT:

1. The property is located on the west side of Blair Road between Van Buren and Underwood Streets and is known as premises 6522 Blair Road, N.W. It is zoned R-1-B.

2. The site is triangular in shape with a frontage of 54.54 feet along Blair Road, a depth of 113.64 feet to the north and a depth of 124.06 feet to the south. The site contains approximately 3,097 square feet of lot area.

3. The site is developed with a two-story, brick single-family dwelling which was constructed in 1936. There is currently no on-site parking provided. The property does not abut a public alley.

4. The surrounding area is developed with single-family dwellings to the north, south and west of the site. Many of the surrounding dwellings provide accessory garages. Immediately east across Blair Road are warehouses and industrial-related offices in a C-M-1 District.

5. The applicants propose to construct a concrete one-space parking pad in the front and side yards. The proposed parking pad would measure approximately 9 feet by 21 feet and would require a new curb cut and aprons off of Blair Road.

6. The applicants are requesting the necessary variances to construct a parking pad on their property to ensure that they have access to a parking space immediately adjacent to their residence at all times. The reason for the applicants' need for parking in close proximity to the dwelling is based on the health problems of two family members at the premises.

7. The applicants are unable to provide an on-site parking space in conformance with the requirements of the Zoning Regulations due to the irregular shape and small size of the lot, the location of the dwelling on the site and the lack of alley

access to the rear of the site.

8. The Zoning Regulations require that the dimensions of a parking space measure 9 feet by 19 feet. The applicants are unable to locate such parking space in the side yards of the premises because the northern side yard measures only 6.6 feet in width and the southern side yard is angled and does not provide a width of 9 feet or more for the requisite depth of 19 feet. The applicants are unable to provide the parking space in the rear yard due to lack of alley access and because the existing side yards are too narrow to provide vehicular access to the rear of the site.

9. The Office of Planning (OP) by memorandum dated January 17, 1990, recommended that the application be denied. The OP was of the opinion that, although the property is irregularly shaped, the proposal is not in keeping with the intent and purpose of the Zoning Regulations. The OP was further of the opinion that the location of the proposed parking space is too close to the adjoining residence and could have an adverse impact on the environmental quality of that property. The OP noted that the applicants could seek relief from the Department of Public Works to establish a handicapped parking space on the street in front of the subject premises to meet their need for vehicular access for the invalid residents of the premises.

10. The D.C. Department of Public Works (DPW), by memorandum dated January 17, 1990, recommended that the application be denied. The DPW was of the opinion that the location of the proposed parking space was inappropriate in that backing out of the space would create a dangerous conflict with traffic on a busy street and the proposed curb cut would eliminate two on-street parking spaces. The DPW was further of the opinion that ample on-street parking exists to accommodate the parking demand of the residents.

11. Advisory Neighborhood Commission (ANC) 4B did not submit written issues and concerns relative to the subject application.

12. By letter dated January 12, 1990 and by testimony at the public hearing, the owner of 6518 Blair Road opposed the granting of the application. The opposition was of the opinion that the inadequate size of the property would preclude the provision of a viable parking space on the site. The opposition also raised concerns with the dimensions shown on the plat on record and the location of fencing between their property and the subject site. The Board notes that the dispute regarding the location of fencing and property lines is beyond its jurisdiction.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicants are seeking

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variance relief. In order to be granted such relief, the applicants must demonstrate an extraordinary or exceptional condition inherent in the property itself. In addition, the applicants must establish that the requested relief can be granted without substantially impairing the intent, purpose and integrity of the Zoning Regulations. The Board concludes that the applicants have not met the requisite burden of proof. The Board concludes that, although the property is irregularly shaped, the proposed location of the parking pad would result in an adverse impact on the adjoining residential property and would create a dangerous condition with respect to traffic on Blair Road. The Board notes that the applicants may seek relief through the Department of Public Works to provide handicapped parking on the street. The Board further concludes that the requested relief cannot be granted as in harmony with the intent and purpose of the Zoning Regulations and Map. Accordingly, it is **ORDERED** that the application is **hereby DENIED**.

VOTE: 4-0 (Paula L. Jewell, Charles R. Norris, William F. McIntosh and Carrie L. Thornhill to deny; Lloyd D. Smith not present, not voting).

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

ATTESTED BY: _____



FINAL DATE OF ORDER: AUG 30 1991

UNDER 11 DCMR 3103.1, "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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GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



APPLICATION/APPEAL NO. 15219

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order in this application/appeal dated AUG 30 1991 has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Luther R. Bruner, Jr.
3511 19th Street, S.E., #204
Wash, D.C. 20020

Leon & Minnie Broadus
6522 Blair Road, N.W.
Wash, D.C. 20012

Amanda Lyon, Chairperson
Advisory Neighborhood Commission 4-B
7826 Eastern Avenue, N.W., #LL16
Washington, D.C. 20012

Compton & Eileen Vyfhuis
7622 9th Street, N.W.
Wash, D.C. 20012

A handwritten signature in black ink, appearing to read "E.L. Curry", is written over a horizontal line.

EDWARD L. CURRY
Executive Director

DATE: AUG 30 1991