

PUBLIC HEARING--October 21, 1964

Appeal #7966 Mildred Neubauer, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on October 27, 1964:

ORDERED:

That the appeal for a variance from the provisions of paragraph 7205.2 and 7205.22 of the Zoning Regulations to park two automobiles less than ten feet from rear of building at 1717 Riggs Place, N.W., lot 107, square 153, be granted for the following reasons:

(1) From the records and the evidence adduced at the hearing, the Board finds that appellant's building is located in the R-5-B District; that the building extends completely across the lot which is eighteen feet in width. The Board further finds that appellant has a rear yard 27.5 feet in depth from the rear of the building to the line of the public alley which is twelve feet in width.

(2) The Board further finds that appellant proposes to remodel the existing building into four apartments, being one apartment on each of the three floors and basement which is permitted as a matter-of-right under existing R-5-B zoning. The question arises, however, in providing the two required off-street parking spaces.

(3) The Board finds that there is ample room on the rear of the lot for these two automobiles. However, this leaves a distance of eight and one-half feet from the rear of the building whereas regulations require that the spaces be removed ten feet.

(4) There was opposition to the granting of this appeal registered at the public hearing. This opposition was predicated upon the contention that they are single family dwellings and that they citizens' group is trying to attract single families into the area and that the conversion will create further parking problems. The appellant refuted this evidence by stating that they are reducing the number of cars in the neighborhood by a reduction of the number of persons in the development.

(5) The Board is of the opinion that it is not practicable to located such parking spaces in accordance with Section 7205.1 of the Zoning Regulations due to the size and dimensions of the lot which prohibits meeting the requirements of this section. The Board is further of the opinion that it is impracticable to provide these parking spaces within the building itself.

In view of the above the Board is of the opinion that a denial of this appeal would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner, and further, that this 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 map. The Board is also of the opinion that the contention of the objectors is not substantiated by the facts.