

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING--February 17, 1965

Appeal #8071 Loui Levy, et al. appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Messrs. Davis and Scrivener dissenting, the following Order was entered on February 23, 1965:

ORDERED:

That the appeal for a variance from the provisions of Section 7204.1 of the Zoning Regulations to permit parking spaces less than 19 feet in length and to permit the off-street parking access aisle to be used for loading berth at 3218 Wisconsin Avenue, N.W., lot 812, square 1920, be granted.

From the records and the evidence adduced at the hearing, the Board finds the following facts:

- (1) Appellant's lot has a frontage of fifty feet on Wisconsin Avenue and a depth of approximately 164 feet to a 20 foot wide public alley in the rear.
- (2) The proposed ten-story apartment building on this lot will contain 40 efficiency and 19 one-bedroom units for a total of 59 units which will all be furnished units.
- (3) Appellant will provide 20 off-street parking spaces on the rear of this property which meets the requirements of the Zoning Regulations except that seven of the spaces will be sixteen feet eight inches in length rather than nineteen feet as required by the Zoning Regulations. Further, the off-street loading berth will be located within the sixteen foot wide parking aisle.
- (4) Appellant states that inasmuch as the building will be entirely furnished there is no actual need for the loading berth as the occupants will not require moving of furniture in and out.
- (5) Appellant states that a survey of apartments of this type indicates that approximately one-fourth of the rented spaces for automobiles are used by compacts.
- (6) There was no objection to the granting of this appeal registered at the public hearing.

OPINION:

We are of the opinion that appellant has proven a case of hardship within the meaning of Section 8207.11 of the Zoning Regulations due to the narrowness of the lot in question which will not permit the number of spaces, 9 x 19 feet in size, to be located on the property.

We are further of the opinion and due to the type of occupancy proposed for this building, i.e., furnished apartment units, that very little use will be made of the loading berth, and that the provision of seven parking spaces 16'8" in length and thirteen spaces 9 x 19' will provide adequate off-street parking accommodations for the type of occupancy proposed in appellant's building.

In view of the above finding of fact and opinion it is the Board's further opinion 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.