

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING--February 17, 1965

Appeal #8072 Associated Limited Partnership, appellant.

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 7206.7 of the Zoning Regulations to reduce driveway width to 12 feet; to permit parking spaces less than 9 feet in width as required by Section 7204.1 of the Zoning Regulations; for a waiver of the requirement of Section 7205.22 of the Zoning Regulations to permit off-street parking less than 10 feet from the wall of the multiple dwelling, and for permission to use off-street parking access aisle for loading berth purposes at 2716 Wisconsin Avenue, N.W., lot 809, square 1932, 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 60 feet on Wisconsin Avenue and a depth of 143.92 feet and will be improved with a nine-story apartment house which will contain 34 efficiency and 28 one-bedroom units for a total of 62 units which will all be furnished units.

(2) Appellant will provide 20 off-street parking spaces on the rear of this property which meets the requirements of the Zoning Regulations except that 19 spaces will be 8' x 19' and one space 7'1" x 19'. Two of the parking spaces will be within ten feet of the building. Appellant is required to provide a 12' wide entrance driveway from Wisconsin Avenue through the first floor of the building inasmuch as the proposed 15 foot wide public alley is unimproved and evidence indicates that the future construction of this alley is quite remote. Appellant further states that the loading berth and platform would be located within the sixteen foot wide parking aisle and that the only physical means of entry would ~~fr~~ be from the public alley.

(3) 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.

(4) A survey of apartments of this type indicates that approximately one-fourth of the rented spaces for automobiles are used by compacts.

(5) 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 size 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.

~~ax~~ We are further of the opinion that due to the type of occupancy proposed

for this building, i. e. furnished apartment units and due to the size of the property, that very little use will be made of the loading berth; that the provision of parking spaces, 19 of which are one foot short of the required width and one space approximately 2 feet short of the required width will provide adequate off-street parking accommodations for the type of occupancy proposed in appellant's building. Further, the persons occupying this type of building will not necessarily own automobiles in all cases.

We are also of the opinion that the 12 foot wide driveway, although two feet short of regulation requirements, will, in this type of occupancy, not tend to create any traffic difficulties as the lot in question accommodates only twenty automobiles and appellant will install a lighting device at each end of the driveway so that one-way traffic will be provided. We find further that appellant must provide two of the parking spaces within ten feet of the rear wall of the building in order to provide the number of spaces required by the regulations.

In view of the above conditions of this property, we are of the 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.

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