

PUBLIC HEARING—July 14, 1965

Appeal #8186 Melvin Gelman, et ux, appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Mr. Davis dissenting, the following Order was entered on July 14, 1965:

ORDERED:

That the appeal to locate open parking spaces within 10 feet of the building line at 1415 Rhode Island Avenue, N.W., lot 126, square 210, be denied.

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

(1) Appellant at the hearing withdrew his request to provide roof structures in accordance with the provisions of Section 3308 of the Zoning Regulations.

(2) Appellant's lot has a frontage of 144.7 feet on Rhode Island Avenue and in part extends to a thirty foot wide public alley in the rear. The property contains an area of 14,916.10 square feet of land on which appellant desires to erect a ten story apartment building.

(3) In the process of erecting this building appellant was required to provide nine off-street parking spaces on the surface at the rear of the building and, in addition, one loading berth. Of the nine spaces provided five are technically within the 10-foot rule, 4 of which are 6 feet from the building and one is approximately 4 feet from the building.

(4) Appellant contends that due to the shape, size and dimensions of the lot it is impracticable to locate these parking spaces in accordance with para. 7205.1 of the Zoning Regulations.

(5) There was no objection to the granting of this appeal registered at the public hearing.

OPINION:

It is our opinion, as the result of a study of the plat, plans and other evidence offered at the hearing, that appellant can erect his building on this site and still meet all requirements of the Zoning Regulations. It is our opinion that there is nothing so unusual in this piece of property to preclude the location of these parking spaces in accordance with the Zoning Regulations by rearrangement of the building on the lot in question.

In view of the above it is our opinion that this relief cannot 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.