

PUBLIC HEARING--May 12, 1965

Appeal #8193 Merit, Inc. appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on May 17, 1965:

**ORDERED:**

That the appeal for a variance from the provisions of paragraph 7303.4 of the Zoning Regulations to permit location of required loading berth and loading platform within the off-street parking access aisle at 3110 Wisconsin Avenue, N. W., lot 814, square 1923, 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 50 feet on Wisconsin Avenue and a depth of 170.3 feet to a 20 foot wide public alley in the rear. The lot contains an area of approximately 852 square feet of land.

(2) The proposed ten story apartment building will contain 59 apartments, including 20 one-bedroom units and 39 efficiency units and requires twenty off-street parking spaces. These units 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 and will provide his loading dock and loading platform in the aisle between the parking which is twenty-two feet in width.

(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 also states that it would be a hardship on the owner to provide a loading berth on the site in addition to required parking spaces and access aisle. He states that lot is so narrow that to provide such a loading berth would reduce size of the building which may be constructed under existing zoning which would seriously impair the economic utilization of ~~the~~ the land.

(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.

We are further of the opinion that 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.

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.