

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- June 16, 1965

Appeal Nos. 8226-27-28 Saul and Ida Minsky, et al, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on June 22, 1965.

ORDERED:

That the appeal to erect an apartment building with roof structures in accordance with Section 3308 of the Regulations and to permit SP office use of 4,627 sq. ft. in the basement of the building located at 439-469 H Street and 444-446 Massachusetts Avenue, NW., lots 818-825, 826 -832 inclusive, 852, 853, 12, and 871, square 517, be granted.

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

(1) The proposed roof structures consists of two stair penthouses and one penthouse, which houses elevator equipment, storage area, rest rooms and life guard area. There is also located on the roof a swimming pool and paved sun deck.

(2) The proposed roof structures do not exceed a .25 FAR nor occupy more than one-third of the roof area. The roof structures are set back from the exterior walls a total distance equal to the height that the roof structures extend above the permitted height limit.

(3) The roof structures will be constructed of material that matches the exterior finish of the building and will harmonize with the main structure in architectural character, material and color.

(4) The Board finds that the erection of the proposed apartment building with roof structures will not adversely affect the light and air conditions of adjacent property.

(5) Appellants propose to use 4,627 sq. ft. in the basement of the building for SP office use.

(6) The proposed professional use is in harmony with existing uses on neighboring and adjacent property.

(7) The proposed use will not create danterous or other objectional traffic conditions. The Director, Department of Vehicles and Traffic, has no objection to the granting of this appeal.

(8) The Board further finds that the neighboring or adjacent property will not adversely affect the erection of the proposed apartment building and roof structures with the proposed SP use contained therein.

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

OPINION:

The Board is of the opinion that the granting of the applicants appeal to erect an apartment building with roof structures in accordance with Section 3308 of the Regulations and to permit SP office use of 4,627 sq. ft. in the basement of the building located at 439-469 H Street and 444-446 Massachusetts Avenue, NW. is in harmony with the general purpose and intent of the Zoning Regulations and accordance with said Zoning Regulations and Maps.