Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING--October 13, 1965

Appeals #8402-03 Capitol Mortgage & Title Co. and Gray Prop. Inc. appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on October 19, 1965:

ORDERED:

That the appeal for a variance from the FAR and lot occupancy requirements of the R-5-A District and for a ~~xxx~~ waiver of one automobile off-street parking space for a thirteen unit apartment building at Halley Place and First St. S.E., lots 34, 35 and 36, square 6116, be denied.

As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lots have a frontage on Halley Pla e of 167.87 feet, 22.96 feet on 1st Street, 135.01 feet along the 15 foot public alley and 125 feet on the south side of the property. The property contains an area of approximately 9873 square feet of land.

(2) The lot in question is nearly triangular in shape and appellant proposes to erect a thirteen unit walk-up apartment building facing onto Halley Place. The proposed three stories of twelve units represents a total of 11,122.17 square feet, an increase over the allowable 8887.5 square feet of 2,234.67 square feet.

(3) The janitor's apartment is proposed for the lower level of the ground level which is out of the ground more than fifty percent which increase the floor area by 877.5 square feet, the grand total floor area is then 12,323.67 square feet.

(4) Appellant is also requesting waiver of one off-street parking space.

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

OPINION:

As the result of an inspection of the property by the Board, and from the records and the evidence adduded at the hearing, appellant was unable to prove and the Board was unable to find that by reason of exceptional narrowness, shallowness or shape of the specific property, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of the property, the strict application of the regulations would result in peculiar and exceptional practical dificulties or or exceptional and undue hardship upon the appeallant. It is the opinion of the Board that appellant can develop this piece of property in strict accordance with the Zoning Regulations.