

PUBLIC HEARING--Oct. 13, 1965

Appeal #8405 Stanton Gardens Section Two Limited Partnership, appellant.

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 to permit erection of a group of garden-type apt.. bldgs. with division walls from the ground up or from the lowest floor up and deemed single building for the purpose of these regulations, and for a variance from the requirements of para. 3307.21 of the Zoning Regulations to permit a lot occupancy of 27% and FAR of 1.1, and for a variance from the requirements of sect. 3307.14 of the Zoning Regulations requiring two side yards of not less than 20 feet in width at 2601-2623 Douglas Rd. S.E., lot 144, sq. 5871, be granted for the following reasons:

(1) From the records and the evidence adduced at the hearing, the Board finds that appellant has proven a case of hardship within the provisions of Sect. 8207.11 of the Zoning Regulations due to the difficult hardship encountered by reason of topographic conditions and the irregular shape of the lot.

(2) The Board is of the opinion that the granting of an FAR of 1.1; permission to occupy 27% of the lot area rather than the 25% required by Sect. 3307.13 of the Zoning Regulations, is warranted due to the irregular shape of the lot and unusual grade conditions existing on the site.

(3) The Board is also of the opinion that due to the location of buildings on this irregular shaped lot, in order to provide 100% parking as required by the regulations resulted in additional difficulty in providing the required 20-foot wide side yards for all building.

(4) In view of the above it is our 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 maps. It is also our opinion that a denial of this request would result in peculiar and exceptional practical difficulties and undue hardship upon the owner of the property.