

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- November 17, 1965

Appeal No. 8467 - 8468 Sol Lehrman and City Dwellers, Inc., Appellants.

The Zoning Administrator District of Columbia, Appellee.

On motion duly made, seconded and carried with Mr. William F. McIntosh abstaining, the following Order was entered at the meeting of the Board on November 24, 1965.

EFFECTIVE DATE OF ORDER -- April 19, 1966

ORDERED:

That the appeal for a variance from the FAR requirements of the R-5-B District to permit erection of an apartment building with roof structures in accordance with Section 3308 of the Zoning Regulations at 1657 Park Road, NW., lot 826, square 2609, be granted.

That the appeal for a variance from the FAR requirements of the R-5-B District and from the provisions of Section 7205.2 of the Zoning Regulations to permit parking less than 10 feet from the building and to erect an apartment building with roof structures in accordance with Section 3308 of the Zoning Regulations at 1669 Park Road, NW., lot 828, square 2609, be granted.

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

(1) Appellants' lot 826 has a 50 foot frontage, a depth of 180 feet and contains 9000 square feet of land. Appellants' lot 828 has a 50 foot frontage, a depth of 170 feet and contains 8500 square feet of land.

(2) Neither of the lots have an access from an alley.

(3) Appellants have made several other efforts to solve the problem of development of these lots.

(4) Appellants propose to build the same building on both lots.

(5) Lot 826, being the larger lot, would require an FAR variance of 0.68 for a total FAR of 2.48.

(6) Lot 828 would require an FAR variance of 0.83 for a total FAR of 2.63.

(7) Due to the shape of the lots, three (3) spaces will be provided within each of the buildings. On lot 828, it is necessary to park within 10 feet of the building in order to be able to provide the required number of parking spaces.

(8) Due to site problems, it is necessary to offset the elevators and stairs to achieve a workable floor plan. Therefore, a variance to the location requirements of Section 3308 is required.

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

OPINION:

The Board is of the opinion that the proposed development of these two lots should be approved on all counts. The proposed development is not likely to become objectionable to neighboring property.

The Board concludes that appellants has proven a hardship within the provisions of the variance clause of the statute, and that denial of the request will result in peculiar and exceptional, practical difficulties, and exceptional and undue hardship upon the owner.

We are further of the 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 zoning plan as embodied in the Zoning Regulations.

The Board concludes that the proposed roof structures are in compliance with the intent and purpose of Section 3308 of the Zoning Regulations. The roof structures will harmonize with the main structure in architectural character, material, and color.