

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- February 23, 1966

Appeal No. 8579 Louis Bojan, Appellant.

The Zoning Administrator District of Columbia, Appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on March 4, 1966.

EFFECTIVE DATE OF ORDER -- March 25, 1966.

ORDERED:

That the appeal for a variance from the provisions of Section 7205 to permit parking within 10 feet of a dwelling and within 3 feet of the side lot line at 1412 + 35th Street, SE., lot 52, square 5534, be denied.

- (1) Appellant's lot is located in the R-1-B District.
- (2) Appellant's lot has a fifty (50) foot frontage on 35th Street and a depth of 120 feet. The lot contains 6000 square feet of land.
- (3) Appellant's lot is improved with a new single family dwelling.
- (4) The topography of the area presents a difficult parking problem.
- (5) There was opposition to the granting of this appeal registered at the public hearing. The Penn Branch Citizens Association objected to the granting of this appeal.

OPINION:

The Board is of the opinion that this request for a variance must be denied. Although the topography of the land presents difficulties for the builder as far as provisions for parking, the Board concludes that such parking may be provided. Indeed, the pattern developed in this area indicates that parking may be provided within the structure. Inasmuch as the builder erected this dwelling without making provisions for the parking, the Board is of the opinion that the necessity for the variance was created by the owner.

Further, the Board concludes that the granting of this variance cannot be granted without impairing the purpose and intent of the Zoning Regulations and Map and without adversely affecting the neighborhood.