

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- February 23, 1966

Appeal No. 8589-90 Moses L. and Louise Mack and Mathilda V. Beall, Appellants.
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 -- April 7, 1966

ORDERED:

That the appeal for a variance from the FAR requirements of the R-4 District to permit erection of an apartment with an FAR not to exceed 1.02 be denied.

That the appeal for permission to provide accessory auto parking on a lot other than that upon which the building is located be granted. The building is located at 1112-14-16 - 17th Street, NE., lots 16, 813, 17, 37, and 802, square 1083.

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

- (1) Appellant proposes to erect an apartment building with 18 units.
- (2) Appellant requests a variance to permit an increase in the FAR from 0.9 to 1.02.
- (3) Lots 16, 813, 17, and 802 contain 13,057 square feet of land and the existing FAR (0.9) would give 11,751 square feet. When lot 37 is added, the lots contain 14,773 square feet and the existing FAR (0.9) would give 13,296 square feet.
- (4) Appellant desires to increase the FAR to 1.02 thereby giving 13,296 square feet.
- (5) The lot 37 is an alley lot. Appellant states that the alley cannot be closed. The alley lot is 33 x 53 feet. The lot is now used by neighborhood children as play area.
- (6) Appellant proposes to use the alley lot for parking by tenants of proposed apartment building. Appellant says the lot will accommodate 7 cars.
- (7) Appellant claims that the FAR increase will not increase the lot occupancy and will not make building exceed permissible height.
- (8) There was opposition to the granting of this appeal registered at the public hearing.

OPINION:

We are of the opinion that the appellant has failed to prove a hardship within the meaning of the variance clause of the Zoning Regulations. Therefore, appeal to increase the FAR must be denied.

We are further of the opinion that the use of the alley lot for parking will not create any dangerous or otherwise objectionable traffic conditions. If this accessory parking is properly developed it will not adversely affect the residential neighborhood.