

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- February 23, 1966

Appeal #8597 George and Jean W. Kalavitinos, appellants

The Zoning Administrator District of Columbia, appellee

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

EFFECTIVE DATE OF ORDER: April 12, 1966

**ORDERED:**

That the appeal for a variance from the provisions of Section 7202.1 to permit waiver of 5 off-street parking spaces at 4715-21 Texas Avenue, S.E., lot 114, square 5350, be granted.

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

- (1) Appellants' lot is located in the R-5-A District.
- (2) Appellants proposes to erect a 24 unit apartment building on the site.
- (3) The proposed building will contain 16 two-bedroom apartments and 8 one-bedroom apartments.
- (4) Section 7202.1 requires that all structures in the R-5-A District shall be provided with one parking space for each dwelling unit.
- (5) Under the provisions of the above rule, appellant would be required to furnish 24 parking spaces.
- (6) Appellants' plans show provisions for 19 parking spaces.
- (7) The topography of the area is such that appellants must build a substantial retaining wall as a portion of the lot has a very steep grade.
- (8) There was no opposition to the granting of this appeal expressed at the public hearing.

**OPINION:**

We are of the opinion that appellants have proven a hardship within the meaning of the variance clause of the Zoning Regulations, and that a denial of the request will result in peculiar and exceptional practical difficulties 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 zone plan as embodied in the Zoning Regulations and Map.