Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- April 13, 1966

Appeal No. 8673 Walter E. & Evelyn Mancuso, appellants

The Zoning Administrator of the District of Columbia, appellee

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on April 27, 1966.

EFFECTIVE DATE OF ORDER: June 7, 1966

ORDERED:

That the appeal for permission to provide open parking space in front of building at 3151 Buena Vista Terrace, S.E., lot 4, sq. 5727, be granted.

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

(1) Appellant's lot is located in an R-5-A District.

(2) Appellant proposes to erect a seven unit apartment building on the site.

(3) Section 7202.1 requires that all structures in the R-5-A District shall be provided with one parking space for each dwelling unit.

(4) Section 7205.12 provides that the required parking spaces be on an open area of the lot within a rear yard.

(5) Appellant proposes to provide the seven required parking spaces, but with some of the parking spaces in front of the building.

(6) Appellant asserts that to provide all of the required parking at the rear of the building would require a 15 foot retaining wall. With front and rear parking, the spaces can be provided compatibly with the existing topography.

(7) Appellant states that there is a rise of 10 feet in the front of the site above the street grade. In the rear, there is a 20 foot rise above the grade of the alley.

(8) A letter protesting any parking on the front of the lot is in the record. No opposition was registered at the public hearing to the granting of this appeal.

Opinion:

We are of the opinion that appellant has proved 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. The topography of the lot is such that provision of all parking in front of the building would impose a severe hardship on 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.