Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- November 16, 1966

Appeal No. 8977 Edward Blanco, appellant.

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 November 29, 1966.

EFFECTIVE DATE OF ORDER -- May 4, 1967

ORDERED:

That the appeal for a variance from the rear yard requirements of the R-4 District and variance of the provisions of 7202.1 to waive off street parking for one car at 2128 Cathedral Avenue, NW., lot 838, square 2205, be granted.

FINDINGS OF FACT:

(1) The Board inspected the subject site on November 14, 1966 and found the lot to be unimproved and rising very steeply from Cathedral Avenue.

(2) The property has a frontage of 42.59 feet on Cathedral Avenue and contains approximately 2,248 square feet of land.

(3) Testimony of the architect indicates that the property is approximately 85 feet deep and slopes from front (Cathedral Avenue) to back at a 50 percent grade.

(4) It is proposed to construct a single family one and a half story dwelling on the property. The house will be 41 feet by 35 feet. The roofline of the proposed dwelling will be roughly level with the adjoining property to the west. The elevation of the lot to the west is 144.5 feet and the property falls from that point to Cathedral Avenue to an elevation of 99 feet.

(5) The rear of the subject property has an arc shape and appellant cannot meet the rear yard requirements except at the side lot lines.

(6) The steepness of the property prevents the use of the site for off-street parking as appellant cannot satisfy the regulations requiring a 12 percent slope of a driveway across public space.

(7) Section 3304.1 provides that there be a 20 foot rear yard for dwellings in the R-4 District. In addition, the regulations require an off-street parking space measuring at least 9 x 19 feet and located more than ten feet from the building.

(8) Opposition to the granting of this appeal was registered at the public hearing by the American War Mothers, who own property to the rear (west) of the subject site.

OPINION:

The Board holds that because of the topography of the lot, appellant has established a hardship within the meaning of the variance clause of the Zoning Regulations and that the erection of this dwelling will have no adverse affect upon adjacent and nearby property.

Further, the waiver of one parking space will have no adverse affect upon neighboring property. Appellant's property is such that parking cannot be provided on the site and denial of the waiver would prevent a reasonable use of the property.

We conclude that the requested relief can be granted without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Maps.