Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- November 16, 1966

Appeal No. 9025 Morris Battle, appellant.

The Zoning Administrator of the District of columbia, appellee.

On motion duly made, seconded and carried, with Mr. William F. McIntosh not voting, the following Order was entered at the meeting of the Board on November 29, 1966.

EFFECTIVE DATE OF ORDER - August 2, 1967

ORDERED:

That the appeal for variance from requirements 7201.3 to permit waiver of 3 off-street parking spaces or in the alternative variance from 7206.7 to permit driveway less than 14 feet wide, 1511 S Stre et, NW., lot 6, square 191, be granted in part and denied in part.

FINDINGS OF FACT:

(1) The subject property is located in an R-5-B District.

(2) The Board made an exterior inspection of the subject property on November 14, 1966 and found the site to be improved with a three-story and English basement brick row dwelling. At the time of inspection, the building was being renovated.

(3) Appellants are now in the process of converting the building into a six-unit apartment building with a parking area in the rear of the lot.

(4) The subject lot has an 18.29 foot frontage on S Street, NW., and a depth of 117.33 feet and contains 2,146.02 square feet of land. The existing building extends rearwardly from the street frontage approximately 37 feet.

(5) Section 7202.1 of the Zoning Regulations requires that an apartment house in the R-5-B District furnish one off-street parking space for each two dwelling units. Therefore, appellant is required to furnish three (3) off-street parking spaces. Section 7206.7 requires that driveways to other than single-family dwellings be no less than 14 feet in width.

(6) No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

We deny the request for a waiver of the required off-street parking spaces as appellant has failed to establish that the required parking cannot be provided.

The request for a variance from Section 7206.7 providing for the width of the driveway is granted. We are of the opinion that a hardship within the meaning of the Zoning Regulations has been proved and that denial of the requested relief would result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we conclude that the requested 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 Maps.