Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- December 14, 1966

Appeal No. 9042 J. L. Laskey et al, 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 January 27, 1967.

EFFECTIVE DATE OF ORDER -- May 10, 1967

ORDERED:

That the appeal for a variance from the use provisions of the R-1-B District to permit lot 899, square 1367 to be used for apartments with an 0.9 floor area ratio at the rear of 4545 MacArthur Blvd., NW., be conditionally granted.

FINDINGS OF FACT:

(1) The subject lot is located in an R-1-B District and abuts an R-5-A District.

(2) The lot has the following dimensions: 15 feet at the west lot line, 21.83 feet at the east lot line, 66 feet at the south lot line, and 69.84 feet at the north lot line. The lot contains approximately 1050 square feet.

(4) Appellants propose to combine the lot with their existing R-5-A lot and use it in the computation of their FAR for a proposed apartment building. The lot would not be used for any portion of the proposed building.

(5) The existing R-1-B lot does not conform to the required size for that District. The lot is smaller than the minimum lot size and is approximately 10 to 15 feet above street grade.

(6) Appellant proposes to landscape and fence the R-1-B lot and not use it for any purpose.

(7) It is proposed to erect a 32-unit apartment on the R-5-A property with off-street parking provided for 32 automobiles. The R-1-B property would not be used for parking.

(8) Opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that the appellant has shown an extraordinary and exceptional situation related to a specific piece of property within the meaning of the variance clause of the Zoning Regulations. The subject property is not suitable for R-1-B purposes and the relief requested does not conflict with the public interest. The relief will provide a buffer between the R-5-A and the R-1-B zoning Districts and we believe that the proposed use will be of benefit to both areas.

Further, we conclude that the requested relief will have no adverse affect upon nearby and adjoining properties, there will be no detriment to the public good and no impairment of the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

This Order shall be subject to the following conditions:

(a) Appellant must by subdivision, combine the subject lot with that on which the apartment building will be built, and no building permit shall be issued until this condition is met.

(b) Appellant shall landscape the lot and maintain it in good condition.