

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- December 14, 1966

Appeal No. 9054 Arthur A. Birney, et al, Trustees for Washington
Real Estate Investment Trust, 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
December 14, 1966.

EFFECTIVE DATE OF ORDER - April 6, 1967

ORDERED:

That the appeal for a variance from the FAR requirements
of R-5-A District to permit five efficiency apartments at 4000
Tunlaw Road, NW., parcel 31/129, square 1709 be denied; however,
the Board hereby amends BZA Appeal No. 5264, issued December 11,
1958, to permit construction of five efficiency apartments for
use by resident employees. This Order shall be incorporated in
and become part of BZA No. 5264.

FINDINGS OF FACT:

- (1) Applicant's property is located in R-5-A District.
- (2) In Appeal No. 5264 the Board approved a variance for
the subject site limited to FAR of 1.2.
- (3) The subject apartment building contains 274 units and
applicant has previously provided 285 parking spaces.
- (4) Applicants have provided a new parking layout which
provides 290 parking spaces to accommodate the proposed five
units, which will bring the total of apartment units to 290.
- (5) The proposed additional five units may be constructed
without exceeding the 1.2 FAR approved by the Board of Zoning
Adjustment in Appeal No. 5264.
- (6) The applicant proposes to use the additional five
efficiency apartments to house resident employees.

OPINION:

The Board is of the opinion that the relief sought herein may be granted without a new variance. Previously, a variance was granted to the applicants permitting a 1.2 FAR and the proposed additional apartments will not cause the entire building to exceed that FAR. We are further of the opinion that the relief sought can be granted by an amendment to the Order in Appeal No. 5264 and that such an amendment will be in harmony with the general purpose and intent of the zoning regulations and maps and will not tend to affect adversely the use of neighboring property in accordance with said regulations and maps.

This appeal will be subject to the following condition:

The five apartment units constructed under this amendment shall be limited to use by resident employees.