Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- December 14, 1966

Appeal No. 9061 Emanuel Miller, 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 December 14, 1966.

EFFECTIVE DATE OF ORDER -- Dec 27, 1966

ORDERED:

That the appeal for a variance from the provisions of Section 7201.3 to permit a waiver of 10 parking spaces for a private school at 1346 Connecticut Avenue, NW., lot 13, square 138, be granted.

FINDINGS OF FACT:

(1) The subject property is located in a C-3-B District.

(2) The property is a triangular site and is improved with a twelve story office building occupying 100% of the lot. No on-site parking is available to tenants of the building.

(3) It is proposed to lease the top story of the building to the International Center for Language Studies, Inc., a private school. The school will occupy twenty (20) rooms.

(4) The school will have a total enrollment of one hundred and sixty (160) students and eight (8) teachers. The hours of operation will be from 9:00 a.m. to 6:00 p.m. Most of the students will attend classes for four (4) hours -- either 9:00 a.m. to 1:00 p.m. or 2:00 p.m. to 6:00 p.m. Eighty (80) students will attend each section.

(5) The school now occupies space in the Woodward Building at 15th and H Streets, NW.

(6) Three (3) commercial parking lots are located within 200 feet of the subject building,but the lot operators will not contract to make parking space available on any basis.

(7) Location of the school in the subject building will intensify the use thereof and Section 7201.3 requires that additional parking spaces therefore be provided in the numbers specified in Section 7202. Appellant requests a variance from these Regulations to the extend of providing none of the parking required by introduction of the school into the building.

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

OPINION:

We are of the opinion that appellants have proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owners. Appellants' property is such that parking spaces cannot be provided on the site, and the evidence reveals that attempts to obtain covenants for the required parking have not succeeded. The denial of the requested relief would prevent a reasonable use of the property.

The requested relief can, in our views, 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.