

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - March 22, 1967

Appeal No. 9145 Carl J. Matthews, 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 March 28, 1967.

ORDERED:

That the appeal for waiver of 4 off-street parking spaces required for building with Medical-Dental offices exceeding 25 percent gross floor area at 4324 Georgia Avenue, N.W., lot 23, Square 2914, be denied.

FINDINGS OF FACT:

1. The appellant's property is located in a C-2 District.
2. The property consists of 1 lot 37-1/2 feet on Georgia Avenue, with an average depth of 67-1/2 feet, and is improved with a 3-story building and 4 off-street parking spaces.
3. Appellant proposes to rent the entire first floor to a dentist.
4. The Zoning Regulations require that when an office building devoted to a medical or dental office exceeds 25 percent of the gross floor area of the entire structure, the portion of the structure devoted to the medical or dental use shall require twice the number of off-street parking spaces required for the District in which it is located. The present building has a gross floor area of 4,332 feet which would require 4 off-street parking spaces. The dentist proposes to occupy the ground floor containing 1,444 square feet which is more than one-quarter of the gross floor area and therefore requires 4 additional spaces.
5. The site plan furnished with the application shows no additional space available on the site for off-street parking.
6. No opposition was registered at the public hearing.

OPINION:

It is the opinion of the Board that the present building was built to the maximum permitted bulk for the C-2 zone with the knowledge that the parking requirements for the C-2 zone varied

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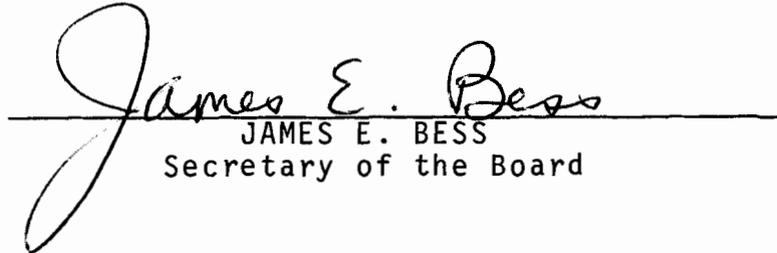
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in accordance with the tenants selected. It is the Board's opinion that the appellant knowingly reduced the number of off-street parking spaces to the minimum figure thereby excluding his possibility of renting a substantial portion of the building for medical offices. For this reason, the Board denies the request to waive two off-street parking spaces required by a medical-dental offices exceeding 25 percent gross floor area of a building or structure.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:


JAMES E. BESS
Secretary of the Board