

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - August 16, 1967

Appeal No. 9293 Rose Schlein, Inc., 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 August 16, 1967.

EFFECTIVE DATE OF ORDER: November 26, 1968

ORDERED:

That the appeal for a variance from provisions of Section 7202 to permit waiver of 2 off-street parking spaces at 1441 Florida Avenue, N.W., lots 144 and 145, Square 2660, be granted.

FINDINGS OF FACT:

1. Appellant's lot is located in an R-5-B District.
2. Appellant's lot has a frontage of approximately 40 feet on Florida Avenue and depths of 93.50 and 100.25 feet. The lot contains an area of 3,876 square feet and there is no access by alley.
3. The lot is vacant at the present time and appellant proposes to erect a 3-story and basement, 9-unit apartment building.
4. Appellant will provide 3 parking spaces whereas regulations require 4.5 or 5 parking spaces. The parking spaces provided will be beneath the building on the street level.
5. Appellant contends that due to extreme topography of the ground it would be economically unfeasible to provide parking at the rear of this building. The land rises sharply from the street to the rear of the lot.
6. There was opposition to the granting of this appeal registered at the public hearing. The opposition is predicated upon the contention that this waiver would create a safety hazard and restrict play area on the street or sidewalk, and a reduction in this 2 parking spaces would create a street parking problem.

OPINION:

It is the opinion of the Board that due to the extreme topographic conditions existing on this property that it would be impracticable and economically unfeasible to adhere to strict compliance with the regulations. We are further of the opinion that a denial of this request would result in peculiar and practical difficulties and undue hardship upon the owner. It is also our opinion that the waiver of 1.5 or 2 parking spaces 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 Map.

The Board is further of the opinion that the objection raised at the hearing is not fully substantiated by the facts and that the granting of this waiver will not create a safety problem and have only a slight impact on the street parking situation as it now exists.

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

ATTESTED:

By:



CHARLES E. MORGAN  
Secretary of the Board

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE DATE OF THIS ORDER.