

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - April 15, 1970

Appeal No. 10361 Edward Dunphy Properties, Inc., appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of April 22, 1970.

EFFECTIVE DATE OF ORDER - May 5, 1970

ORDERED:

That the appeal for variance from the lot occupancy requirements of the R-4 District to permit a garage at 211 - 9th Street, SE., lot 69, Square 923, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.
2. The property is improved with a three story dwelling.
3. Appellant proposes to construct a garage on the rear of the property measuring 15 feet by 21 feet to be entered from the existing public alley.
4. The area of the lot is 1,320 square feet. Permitted lot occupancy is 60 percent or 792 square feet.
5. Appellant alleges that the proposed garage will render lot occupancy 247 square feet over that permitted or approximately 80 percent.
6. All nearby properties on the adjoining alley are improved with garage structures similar to that proposed by appellant. The size of appellant's lot makes other means of off-street parking impractical.
7. No objection to the granting of this appeal was registered at the public hearing.

Appeal No. 10361
May 5, 1970
PAGE 2

OPINION:

We are of the opinion that appellant has proven 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 owner.

Further, we hold that the requested relief 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.

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

ATTESTED:

By: 
CHARLES E. MORGAN
Secretary of the Board

THAT 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 EFFECTIVE DATE OF THIS ORDER.