

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - July 15, 1970

Appeal No. 10475 Milton O. McGinty, 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 August 18, 1970.

EFFECTIVE DATE OF ORDER - March 8, 1970

ORDERED:

That the appeal for variance from the requirements of Section 7202.1 to permit waiver of one off-street parking space for single family dwelling at 78 Brandywine Street, SW., Lot 41, Square 6171, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-2 District.
2. The subject property is improved with two (2) semi-detached dwellings.
3. Appellant requested a waiver of one off-street parking space for the single family dwelling at 78 Brandywine Street, SW.
4. Appellant alleged that due to the topographical conditions of the subject property, it would not be feasible to construct a driveway. Appellant also alleged that it would not be feasible to erect a fence because there is only enough room for a driveway.
5. Opposition to the granting of this appeal was registered at the public hearing.

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OPINION:

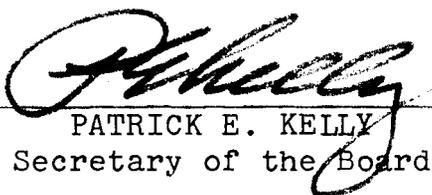
We are of the opinion that appellant has proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

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: _____


PATRICK E. KELLY
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.