

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - November 18, 1970

Appeal No. 10576 Frederick S. Schnitman, et al, appellants.

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 January 19, 1971.

ORDERED:

That the appeal for variance from the use provisions of the R-1-B District to permit continuation of flat at 5328 Carolina Place, N. W., lots 25 and 26, Square 1442, be denied.

FINDINGS OF FACT:

1. The subject property is located in an R-1-B District.
2. The property is improved with a one-story frame dwelling which is used as flats.
3. Appellant proposes to continue to use the property as a flat.
4. Appellant alleged that when he purchased the property it was used as a flat even though there has been a Certificate of Occupancy on the property.
5. No opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that appellant has not proven a hardship within the meaning of the variance clause of the

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Zoning Regulations and that a denial of the requested relief will not result in peculiar and exceptional practical difficulties or undue hardship upon the owner.

Further, we hold that the requested relief cannot 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