

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - December 9, 1970

Appeal No. 10612 Frederick H. Collins, et ux, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with Mr. Harps dissenting, the following Order of the Board was entered at the meeting of December 15, 1970.

EFFECTIVE DATE OF ORDER - February 8, 1971

ORDERED:

That the appeal for variance from the lot occupancy requirements of the R-2 District to permit a garage in rear of 3222 Brothers Place, S.E., lot 11, Square 5990 be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-2 District.
2. The property is improved with a single family dwelling with a one (1) car garage at the rear of the property.
3. The appellant proposes to raze the existing garage and construct a two (2) car garage.
4. The appellant alleged that the entrance to the proposed garage will be for the alley and the garage is necessary due to the lack of parking in the area.
5. No opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that appellant has proved 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

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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.

CONDITION:

(a) The appellant shall move the proposed garage to the lot line.

The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.

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.