

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING: October 13, 1971

Appeal No. 10933 George Tjoumas, Appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, Appellee.

On motion duly made, seconded and carried with Mister Mackey dissenting, the following Order of the Board was entered at the meeting of October 19, 1971.

EFFECTIVE DATE OF ORDER: December 7, 1971

ORDERED:

That the appeal for variance from the use provisions of the R-3 District to permit a flat at 5025 - 5th Street, N.W., lot 35, Square 3254, be GRANTED.

FINDINGS OF FACT:

1. The subject property is located in an R-3 District.
2. The property is improved with a 2-story house and is currently used as a flat.
3. Appellant stated that he has owned this house for 20 years and that all during that time it has been used as a flat.
4. The flat is on the first and second floor with separate baths and kitchens on each floor.
5. At the public hearing there was considerable neighborhood opposition.

OPINION:

We are of the opinion that the 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 and exceptional practical difficulties and undue hardship to 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: _____

GEORGE A. GROGAN
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.