

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- January 12, 1972

Appeal No. 11024 David A. and Carol M. C. Santos, Jr., appellants
THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and carried in the absence of Mr. Mackey, the following Order of the Board was entered at the meeting of January 18, 1972.

EFFECTIVE DATE OF ORDER -- June 14, 1972

ORDERED:

That the appeal for a variance from the requirements of Section 7401.11 set back from alley and lot occupancy requirements of the R-4 District to permit erection of private garage at 903 North Carolina Avenue, S. E., lot 31, Square 943 be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.
2. The property is presently improved with owner's residence, plus one apartment, with detached private garage.
3. Appellants stated that the neighborhood interest in this would be that it would reduce the density of parking on a public street by at least the one automobile and there would be improvement in the appearance of the neighborhood by replacing the dilapidated, corrugated tin garage with one of masonry construction.
4. There are two other garages on the same line proposed by appellant.
5. The stated reasons for having the garage is an assured parking space and safety for appellants' as well as their automobile which was stolen a few months ago.

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6. The appellants have asked for two variances in order to build the garage in question:

- a. lot occupancy under Section 3303.1 of the Zoning Regulations
- b. Garage set back requirement under Section 7401.11(b) of an R-4 District

7. There was no opposition registered at the public hearing as to the granting of this appeal.

OPINION:

We are of the opinion that appellants have 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 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.

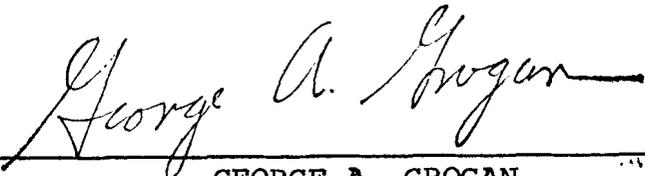
This Order shall be subject to the following conditions:

- a. The structure shall be a one story garage.
- b. Garage is not to contain a loft or any storage space beyond 8 feet.
- c. Construction shall not begin until the Board of Zoning Adjustment gives its approval of plans.

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

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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 DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.