

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- August 30, 1972

Application No. 11110 Catherine Milner, 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 September 25, 1972.

ORDERED:

That the application for variance from the rear yard requirements of C-2-A District to erect one-story rear addition and waiver of parking spaces at 2013 Benning Road, N. E., Lot 821, Square 4515, be DENIED.

FINDINGS OF FACT:

1. The property in question is presently utilized as an upholstery shop and is located within a C-2-A District (commercial business district of medium density).
2. The nature of applicant's business is primarily through contracts and orders, with no walk-in customers.
3. The rear yardage for the facility is 60 feet deep and applicant desires variance to enable him to construct a one-story storage facility.
4. Applicant's proposal would require complete absorption of the rear yard thereby leaving no room at the end of the lot for parking spaces.
5. At the public hearing, there was no opposition registered as to the granting of this application.

OPINION:

This application requests a variance from the rear yard requirements to permit applicant to construct a one-story storage unit to the rear of their two-story upholstery shop. Applicant seeks to justify the variance by employing Section 8207.11 of the Zoning Regulations, which requires a finding of exceptional difficulties or undue hardship to the owner.

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Applicant's rear yard is approximately sixty (60) feet in depth. The C-2-A District requires a minimum of fifteen feet. Applicant's proposed plan would absorb 100% of the rear yard, thereby, leaving no space for parking.

The character of the proposed plan is such that overcrowding and congestion are potential problems.

Applicant has failed to satisfy Section 8207.11 of the Zoning Regulations by failing to demonstrate undue hardship and relief can not be granted without such showing.

Peculiar and exceptional difficulties with specificity as to this piece of property have not been revealed which would justify frustrating the intent of the Zoning Regulations.

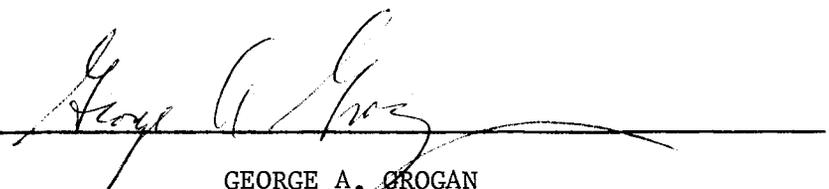
We are of the opinion that the appellant has not proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will not result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

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: _____


GEORGE A. GROGAN
Secretary of the Board

March 30, 1973

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- August 30, 1972

Application No. 11110 Catherine Milner, 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 September 25, 1972.

ORDERED:

That the application for variance from the minimum lot area and width requirements of the C-2-A District to permit erection of three flats at 1115-23 G Street, S. E., part of lot 79, Square 995, be DENIED.

FINDINGS OF FACT:

1. The property in question is presently utilized as an upholstery shop and is located within a C-2-A District (commercial business district of medium density).
2. The nature of applicant's business is primarily through contracts and orders, with no walk-in customers.
3. The rear yardage for the facility is 60 feet deep and applicant desires variance to enable him to construct a one-story storage facility.
4. Applicant's proposal would require complete absorption of the rear yard thereby leaving no room at the end of the lot for parking spaces.
5. At the public hearing, there was no opposition registered as to the granting of this application.

OPINION:

This application requests a variance from the rear yard requirements to permit applicant to construct a one-story storage unit to the rear of their two-story upholstery shop. Applicant seeks to justify the variance by employing Section 8207.11 of the Zoning Regulations, which requires a finding of exceptional difficulties or undue hardship to the owner.

Applicant's rear yard is approximately sixty (60) feet in depth. The C-2-A District requires a minimum of fifteen feet. Applicant's proposed plan would absorb 100% of the rear yard, thereby, leaving no space for parking.

The character of the proposed plan is such that overcrowding and congestion are potential problems.

Applicant has failed to satisfy Section 8207.11 of the Zoning Regulations by failing to demonstrate undue hardship and relief can not be granted without such showing.

Peculiar and exceptional difficulties with specificity as to this piece of property have not been revealed which would justify frustrating the intent of the Zoning Regulations.

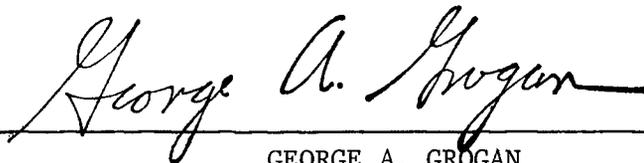
We are of the opinion that the appellant has not proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will not result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

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:



GEORGE A. GROGAN
Secretary of the Board

December 18, 1972

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- August 30, 1972

Application No. 11110 Catherine Milner, 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 September 25, 1972.

ORDERED:

That the application for variance from the minimum lot area and width requirements of the R-4 District to permit erection of three flats at 1115-23 G Street, S.E., part of lot 79, Square 995, be DENIED.

FINDINGS OF FACT:

1. The property in question is presently utilized as an upholstery shop and is located within a C-2-A District (commercial business district of medium density).
2. The nature of applicant's business is primarily through contracts and orders, with no walk-in customers.
3. The applicant seeks a variance from the rear yard requirements of the R-4 District which call for a minimum depth of fifteen feet.
4. The rear yardage for the facility is 60 feet deep and applicant desires variance to enable him to construct a one-story storage facility.
5. Applicant's proposal would require complete absorption of the rear yard thereby leaving no room at the end of the lot for parking spaces.
6. At the public hearing, there was no opposition registered as to the granting of this application.

OPINION:

This application requests a variance from the rear yard requirements to permit applicant to construct a one-story storage unit to the rear of their two-story upholstery shop. Applicant seeks to justify the variance by employing Section 8207.11 of the Zoning Regulations, which requires a finding of exceptional difficulties or undue hardship to the owner.

Applicant's rear yard is approximately sixty (60) feet in depth. The C-2-A District requires a minimum of fifteen feet. Applicant's proposed plan would absorb 100% of the rear yard, thereby, leaving no space for parking.

The character of the proposed plan is such that overcrowding and congestion are potential problems.

Applicant has failed to satisfy Section 8207.11 of the Zoning Regulations by failing to demonstrate undue hardship and relief can not be granted without such showing.

Peculiar and exceptional difficulties with specificity as to this piece of property have not been revealed which would justify frustrating the intent of the Zoning Regulations.

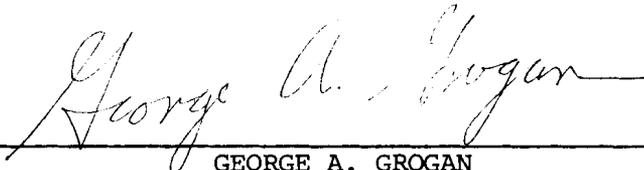
We are of the opinion that the appellant has not proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will not result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

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:

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GEORGE A. GROGAN
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December 18, 1972