

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - October 18, 1972

Application No. 11149 - Ann Grace Small, 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 November 1, 1972.

EFFECTIVE DATE OF ORDER - March 13, 1973

That the application for variance from the use provisions of the R-3 District to continue use as a flat at 1321-1331 T Street, S.E., lots 27 and 807, Square 5602., be GRANTED.

FINDINGS OF FACT:

1. Subject property is located in an R-3 District which is defined by the Zoning Regulations as an area essentially for row dwellings mingled with one family detached dwellings and one family semi-detached dwellings.
2. These premises, located in an R-3 zone, are not permitted to exist without the expressed approval of the Board of Zoning Adjustment.
3. Subject premises is a two-story, six flat building which has been at this location for approximately 23 years.
4. Each unit has a separate entrance on opposite sides of the building.
5. Applicant seeks this variance pursuant to Section 8207 of the Zoning Regulations. This section obligates the Board to make a finding that the owner has established an undue hardship or that peculiar and exceptional practical difficulties would be suffered by him, if in fact the Board denied the application.
6. Applicant contends that if he were compelled to transform the building to correspond with the area as it is zoned it would be an arduous and inconceivable effort.
7. No opposition was voiced at the public hearing nor were any letters in opposition submitted to the file for the Board's consideration.

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OPINION:

The Board has heard the testimony and reviewed the file in the above application and is of the opinion that sufficient reasons have been demonstrated by the applicant to merit the use variance.

In order to utilize these flats as single family dwellings major conversions would be required at great expense. We are satisfied that this would work an ardent and unreasonable hardship upon the owner, and thus we grant the requested relief.

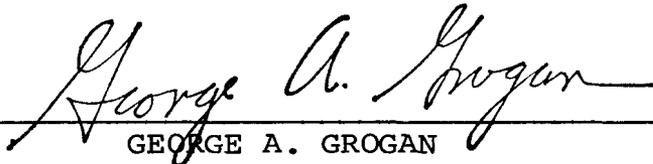
We are of the opinion that applicant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

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.

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