

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- November 29, 1972

Application No. 11190 NATCO Developers, Inc., appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and carried by a vote of 4-0, the following Order of the Board was entered at the meeting of January 23, 1973.

EFFECTIVE DATE OF ORDER -- March 13, 1973

ORDERD:

That the application for permission for for a variance from the minimum lot area, width and side yard requirements of R-2 District to permit erection of single family dwelling at 511 48th Place, N.E., Lot 2, Square 5143, be GRANTED.

FINDINGS OF FACT:

1. The subject property is located in an R-2 District which is defined by the Zoning Regulations as an area of one-family, semi-detached dwellings.

2. Applicant contends that permission for lot area variance and lot width variance is necessitated by the fact that this lot is unusual in its shape and was subdivided originally with these deficiencies.

3. There is a dwelling on the adjoining property, the adjoining property, the acquisition by the applicant of this adjoining property is not possible.

4. Testimony related to the Board that although the surveyor's plat notes and alley running to the side and rear of this lot, the alley in effect does not exist. It is for this reason that applicant seeks a variance from Section 7205.12 to permit parking in front of the house.

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5. No opposition was registered at the public hearing as to the granting of this application nor were any letters of opposition submitted to the file for the Board's consideration.

OPINION:

The Board has reviewed all testimony concerning the need for the variances requested and reviewed the plans submitted to the file and has determined that applicant is entitled to the requested relief.

The Board reiterates that one-family, semi-detached, dwellings in an R-2 District will be, where possible, fostered by this official body. We are of the opinion that this lot has no useful value except for the erection of a one-family detached dwelling. The lot has been shown deficient in minimum lot width, side yard and parking but utilization of land in a residential area will be permitted if it can be shown that the erection of this dwelling will in no way be offensive to the neighborhood. This has been shown.

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 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.

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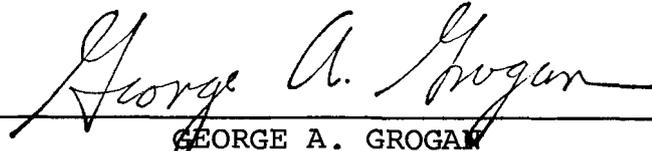
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BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

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.