

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- January 17, 1973

Application No. 11235 William and Edna M. Loffer, 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 -- April 12, 1973

ORDERED:

That the application for variance from the lot area requirements of the R-5-A District (Section 3301.1) to erect single family dwelling at Southern Avenue and Barnaby Road, S. E., Lot 19, Square 6250, be GRANTED.

FINDINGS OF FACT:

1. Subject property is located in an R-5-A District which is defined by the Zoning Regulations as an area of single family detached dwellings.

2. In the R-5-A District the Zoning Regulations require the lot area to be a minimum of 4000 square feet, the applicant can provide 2,662 square feet.

3. It is the testimony of the applicant that the proposed dwelling will be designed to accommodate one family only.

4. The local civic association representative made an appearance to ask applicant questions for clarification of his proposal; other than this appearance there was no opposition voiced to the application herein.

5. It was the applicant's final testimony that he is a designer and builder by occupation and that eventually he will sell the house, but assured the Board that it will be strictly a one family dwelling.

OPINION:

Pursuant to Section 3301.1 of the Zoning Regulations the Board is well satisfied that the applicant has related sufficient facts which would entitle him to the needed relief from the strict lot area requirements of the R-5-A District.

Application No. 11235

April 12, 1973

PAGE 2

We understand that the lot conforms in every way to the Zoning Regulations except the needed square footage in lot area, however, this lack of lot area has not been shown to be or to potentially become offensive to the area, or a threat to increased density.

With the added assurances from the applicant that the structure will be strictly a one-family dwelling and hence in conformity with the neighborhood as it is zoned, this Board feels no need to investigate any further the application and GRANTS the request herein.

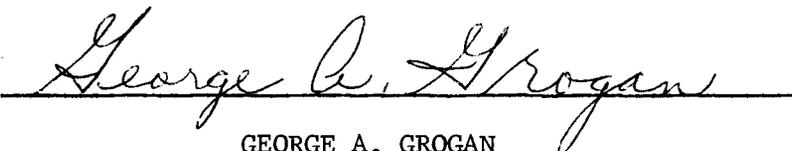
We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional difficulties and undue hardship upon the owner.

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.