

Before the Board of Zoning Adjustment, D. C.

Application No. 11443, of David M Smith as amended pursuant to Section 8207.1 of the Zoning Regulations of the District of Columbia for a variance from Section 3306.1 of the Regulations to reduce an open court 6" inches in a R-4 zone at 120 6th Street, N.E., Lot 49, Square 839.

PUBLIC HEARING: August 29, 1973

EXECUTIVE SESSION: September 11, 1973

FINDINGS OF FACT:

1. The property is to be used as a flat as defined in chapter one of the regulations.

2. The applicant requests a 6" variance from the open court requirements.

3. There is no documentary or testimonial evidence of record which identifies, or speaks the issue of hardship.

4. No opposition was registered.

CONCLUSIONS OF LAW:

Based upon the above findings of fact, the Board is of the opinion that the applicant has not established proff of a hardship or practical difficulty as required by Section 8207.11 of the Zoning Regulations. Without such proof, the Board is without authority to grant the above application for a variance.

ORDERED:

That the above application be DENIED.

VOTE: 4-0, (Mr. McIntosh not voting).

Application No. 11443
PAGE 2

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

ATTESTED By: James E. Miller
JAMES E. MILLER
Assistant Secretary
for the Board

FINAL DATE OF THIS ORDER: OCT 19 1973