

Before the Board of Zoning Adjustment, D. C.

Application of 11758 of Carlene Developers, Inc. for a special exception to construct 2 semi-detached dwellings and 1 row dwelling and variances from the lot area and width requirements of the R-5-A zone as provided by Sections 3205.42 and 3301.1 respectively at 5812-5816 Clay Street, N.E. Lots 4, 5 & 6, Square 5264.

FINDINGS OF FACT:

1. The applicant proposes to construct 2 semi-detached dwellings and one row house. The applicant requires variances of 94.65 sq. ft. for each lot from the lot area requirement and 2.4 feet for each lot from the lot width requirements.

2. The applicant proposes to construct the dwellings in question in a row, the two end dwellings being semi-detached with 8' side yards, and the middle dwelling sharing common divisions walls.

3. The applicant, at public hearing, amended his application to request permission to subdivide the three lots involved in this case into two 27' 8" wide lots and one (1) 19' 8" lot between.

4. The amendment to permit subdivision of the lots in question would require 5' variance for each of the lots as opposed to the 2.4 ft. variances applied for.

5. The National Capital Planning Commission, The Mayor's Assistant for Housing, and the Office of Planning and Management recommended this application for approval.

6. The Department of Highways and Traffic stated no objection to this application.

7. No opposition was registered at public hearing.

CONCLUSIONS OF LAW & OPINION

Based upon the above findings of fact and the reports by the various governmental agencies, the Board concludes that the granting of this application will not substantially impair the meaning of the Zoning Regulations. The variances requested

are minimal, and the Board further concludes that strict application of these Regulations presents a practical difficulty to the applicant, because this application is uncontested, the Board has no reason to believe that the granting of the requested variances would adversely affect neighboring property.

ORDERED: That the above application be GRANTED with permission to subdivide the lots in question, subject to the following conditions:

1. That the proposed structure be set back towards the rear yard 5'.

VOTE: 3-1-0 (Mr. Klauber dissenting, Lilla Burt Cummings, Esq. abstaining, not having heard the case.)

PUBLIC HEARING: October 16, 1974  
DECISION DATE: October 25, 1974

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

ATTESTED BY: James E. Miller  
JAMES E. MILLER,  
Secretary to the Board

FINAL DATE OF ORDER: **NOV 14 1974**

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.