

Before the Board of Zoning Adjustment, D. C.

Application No. 12334

Application No. 12334 of John H. & Edith N. Schafer, pursuant to Sub-section 8207.11 of the Zoning Regulations for a variance from the strict application of Sub-section 7205.12. Specifically, the applicant seeks permission to park in front of a dwelling in the R-3 District at 1530 30th Street, N. W., Lot 829, Square 1269.

HEARING DATE February 26, 1977

DECISION DATE: February 26, 1977 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is an existing, single family dwelling with a side yard. Applicant seeks permission to take part of the yard near the street and make it into a parking path for two (2) cars.

2. The path would extend partially in front of the subject house.

3. The property is located in an R-3 District.

4. Applicant could use part of her garden and would not require the variance she seeks.

5. The Commission of Fine Arts opposes, in general, the relief sought by applicant.

CONCLUSIONS OF LAW:

Applicant must establish an exceptional or undue hardship upon the owner of the property to obtain the relief sought herein. Based on the record she has not given evidence of such. The burden of proof, which is applicant's, has not been met. Accordingly, it is ORDERED that this application is DENIED.

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VOTE: 3-1 (Lilla Burt Cummings, Esq., Richard L.  
Stanton and Leonard L. McCants, Esq., to  
DENY: William F. McIntosh to GRANT).

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

ATTESTED BY: Bernard J. McMahon  
BERNARD J. McMAHON  
Assistant Secretary

FINAL DATE OF ORDER:

*April 27, 1977*