

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING--Sept. 30, 1964

Appeal #7920 S. S. SEigle, owner, on behalf Prestige Homes, Inc. contract purchaser, appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Mr. McIntosh being absent the following Order was entered on December 1, 1964:

**ORDERED:**

That the appeal for a variance from the height, and story limitation of the R-5-A District to permit erection of apartment building at the corner of 9th and Southern Avenue, S.E., lots 107, 108, 109, 110 and 1, square 6159, be granted for the following reasons:

- (1) From the records and the evidence adduced at the hearing, the Board finds that appellant has proven a case of hardship within the meaning of the variance clause of the regulations due to extreme topographic conditions existing on this property, and that the waiver of the story and height limitations are justified due to this extreme topography.
- (2) Appellant had requested a side yard waiver on his original request which was denied by the Board, the Board being of the opinion that this yard could be provided and still erect the type of building proposed. Appellant's new plans on file indicate that all side yard, lot occupancy and FAR requirements of the R-5-A District have been met with the exception of the story and height limitations.
- (3) There was no objection to the granting of this appeal registered at the public hearing.