

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING--Sept. 30, 1964

Appeals #7937-38-39 Giant of D.C., Inc., Jack Geller, et al. and Wave, Inc.
appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Mr. Davis dissenting the following Order was entered on October 7, 1964:

ORDERED:

That the appeals to permit placement of store at rear lot line as a variance from the rear yard requirements of the C-2 District, at 3440-3452 and rear of 3436-3460 - 14th Street, N.W., lots 829, 830, part of 833, lots 821, 831, 824, 703 and part of 819, square 2678, be denied for the following reasons:

(1) From the records and the evidence adduced at the hearing, the Board was unable to find and appellant was unable to prove that by reason of exceptional narrowness, shallowness or shape of the specific piece of property, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of the specific piece of property, that the strict application of the regulations will result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property. The lot in question is nearly triangular in shape and has ample frontage, depth and area so as not to be precluded in the placement of the building on the property in accordance with the Zoning Regulations.

(2) In view of the above the Board is of the opinion that the relief cannot 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.