

PUBLIC HEARING--Dec. 16, 1964

Appeal #8031 New Hope Baptist Church, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on December 22, 1964:

ORDERED:

That the appeal for a variance from the lot occupancy and rear yard requirements of the R-5-B District to permit erection of church at 1106 W Street, N.W., lots 806 and 807, square 303, be denied.

From the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lot has a frontage of 78.5 feet on W Street and a depth of 50 feet and contains an area of 3925 square feet of land area. Appellant proposes to erect on this lot a church building occupying 3140 square feet of land and providing a rear yard of 10 feet.

(2) Present zoning regulations for the R-5-B District require a rear yard with a minimum depth of 15 feet; not over 60% lot occupancy and an FAR of not exceeding 1.8. Appellant has provided a 10 foot deep rear yard, and covers the lot approximately 80% which is 20% over regulations allowable in this district. Appellant's proposed building is within the FAR limitations.

(3) There was no objection to the granting of this appeal registered at the public hearing.

OPINION:

We are of the opinion that appellant has failed to prove a case of hardship within the meaning of the provisions of Section 8207.11 of the Zoning Regulations as the lot is normal in shape, being a rectangularly shaped lot, has no exceptional narrowness or shallowness having adequate land area, width and depth. There are no exceptional topographical conditions or other extraordinary or exceptional conditions existing on the property.

In view of the above we are further of the opinion that this 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.