

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING--March 17, 1965

Appeal #8084 E. Fulton Brylawski, et al. appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on March 24, 1965:

**ORDERED:**

That the appeal for a variance from the FAR requirements of the R-5-B District to permit erection of six story apartment building with an FAR of 3.46 at 1825 Belmont Rd. N.W., lots 801 and 802, square 2551, be denied.

As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lots have a frontage of 75 feet on Belmont Road, a depth of 120 feet to a 15 foot wide public alley, and contains an area of 9000 square feet of land.

(2) Appellant has requested the Board to approve an FAR of 3.46 which is double the amount permitted by the Zoning Regulations, in order to erect a six story apartment building which would contain an additional 26 dwelling units above that permitted by regulations.

(3) Appellant bases his hardship upon the fact that he is required to move from seven to eight feet of earth depth over the entire lot, together with necessary grading and concrete underpinning of the east wall of the proposed building. He also basis his hardship upon the fact that he will be required to install an elevator. He also furnished photographs of the nonconforming building in the block with an FAR of 3.6.

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

**OPINION:**

From an inspection of the property and from the records and the evidence adduced at the hearing, the Board could find no exceptional narrowness, shallowness or shape of the specific property or exceptional topographical conditions, or other extraordinary or exceptional situation or condition of the property which would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner. The lot in question is normal in size, shape and no extraordinary topographical difficulties exist.

It is therefore our 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.