

PUBLIC HEARING--March 17, 1965

Appeal #8091 Catherine and Marie C. Ryan, owners, on behalf of Prue Baxter, contract purchaser, appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on May 17, 1965:

ORDERED:

That the appeal for a variance from the minimum lot width and area requirements of the R-3 District to permit erection of a lot width and area requirements of the R-3 District to permit erection of a dwelling at 2714½ Poplar Place, N.W., lot 815, square 1260, be granted.

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

(1) Appellant's lot has a frontage of 15 feet on Poplar Place and a depth of 60 feet and contains an area of 900 square feet of land.

(2) Appellant is unable to acquire additional land to make his lot conform to the present regulations.

(3) Both lots adjoining appellant's lot are of identical size and area and are improved. Appellant's lot also compares favorably in width and area to other lots in the immediate neighborhood.

(4) This appeal was originally heard in March of this year but due to the size and location of the building proposed the Board deferred action thereon to give appellant an opportunity to present a new plan to the Board for its consideration. Thereafter the appeal was advertised for further hearing.

(5) There was objection to the granting of this appeal registered at the public hearing. There was also some letters filed in favor of the granting of the appeal.

OPINION:

The Board is of the opinion that appellant has proven exceptional and undue hardship inherent in the land resulting in exceptional and undue hardship upon the owner. We are therefore of the opinion that failure to grant relief will in this case result in taking of property without due process of law.

We are also of the opinion that the design and location of the approved improvements will be in harmony with the existing construction within the block and its erection will have no adverse affect upon the value and stability of the district in which located.

The plans approved are on file and marked "APPROVED, Board of Zoning Adjustment, by W. E. Chase, 5/17/65".