

PUBLIC HEARING--March 17, 1965

Appeal #8094 Jennie Goldberg, appellant.

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 rear yard requirements of the C-4 District to permit erection of a second-story addition to the store building at 703-9 D St. N.W., lot 3, square 431, be granted.

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

(1) Appellant's lot, which is located in the C-4 District, has a frontage of 23.8 feet on D Street and a depth of 100 feet. The lot contains an area of 2380 square feet of land and there is no alley in the rear thereof.

(2) Appellant's building was originally two stories in height and the second floor of the building was damaged by fire. The building at the time of the fire covered 100% of the lot for the entire two stories. At present the building is one-story in height and appellant desires to restore the second floor and cover 100% of the lot.

(3) The fire damage to the property was less than 75% of the cost of the reconstruction of the entire building. The new proposed building will not reduce the rear yard or increase the lot occupancy or bulk of the building, as it will be restored to the same bulk which existed prior to the fire.

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

OPINION:

We are of the opinion that appellant's case falls well within the scope of Section 8207.11 of the Zoning Regulations which is the variance portion of the regulations. We are of the opinion that the strict application of the regulations will result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner, and further, that this relief can 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.