

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- January 12, 1966

Appeal No. #8548 Jeanette Orbach, Appellant.

The Zoning Administrator District of Columbia, Appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on January 18, 1966.

DATE OF ORDER -- February 21, 1966

ORDERED:

That the appeal for a variance from the provisions of Section 3301 of the Zoning Regulations requiring 900 square feet of land area per unit for retention of existing three-family units at 128 - 17th Street, NE., lot 56, Square 1083, be granted.

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

(1) Appellant's lot has a frontage of 18.38 feet on 17th Street and a depth of 80 feet on Constitution Avenue, being a corner lot. The lot contains an area of 1470 square feet of land.

(2) The property is improved with a two-story building with basement in which there is existing three family units. Appellant claims property has been used as three apartments for over ten (10) years. Appellant has owned the property for fourteen (14) years.

(3) The lot contains 1470 square feet of land whereas the Zoning Regulations for the R-4 District requires 2700 square feet of land in order to convert to three units.

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

OPINION:

We are of the opinion that appellant has proven a hardship within the provisions of the variance clause of the statute, and that a denial of the request will result in peculiar and exceptional practical difficulties and exceptional and undue hardship upon the owner.

We are further of the opinion that this relief can be granted without substantial detriment to the public good and without substantially impairing the intent purpose, and integrity of the zoning plan as embodied in the Zoning Regulations and Map.