

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- March 23, 1966

Appeal No. 8649 Hessick Investment Corp., appellant

The Zoning Administrator of the District of Columbia, appellee

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on March 30, 1966.

EFFECTIVE DATE OF ORDER: May 26, 1966

ORDERED:

That the appeal for a variance from the minimum lot area and width requirements of the R-2 District to permit erection of two single family dwellings at 49th Place, N.E., near Foote Street, N.E., lots 53 and 54, square 5182, be granted.

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

(1) Appellant's lots have a 25 foot frontage on 49th Place. The east boundary of lot 53 is 109.82 feet; and the west boundary of lot 54 is 102.61 feet; the center lot line is 106.77 feet. Both lots extend to a 15 foot public alley; lot 53 being 19.2 feet at the rear and lot 54 being 19.65 feet at the rear. Lot 53 contains 2384.95 square feet of land and lot 54 contains 2316.09 square feet of land.

(2) Appellant proposes to erect two single family semi-detached dwellings on the side, each containing 3 bedrooms and 2½ baths.

(3) The proposed houses will each have a 15 foot frontage on 49th Place and a depth of 36 feet. The side yards will conform with the existing regulations.

(4) Minimum lot dimensions for dwellings in the R-2 District are 3000 square feet in lot area and 30 feet in width.

(5) No opposition was registered at the public hearing to the granting of this appeal.

OPINION:

The Board is of the opinion that the appellant has proved an exceptional and undue hardship inherent in the land. Failure to grant appellant the relief requested will result in an undue hardship upon the owner.

Although the appellant's lots deviate from the requirements for lots in the R-2 District, the Board concludes that appellant's proposal will be consistent with the purpose and intent of the Zoning Regulations. The proposal will have no adverse affect upon neighboring and adjoining property.