

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- April 13, 1966

Appeal No. 8674 Evelyn V. Clift, appellant

The Zoning Administrator of the District of Columbia, appellee

On motion duly made, seconded and unanimously carried, the following Order was entered by the Board at its meeting on April 27, 1966.

EFFECTIVE DATE OF ORDER: August 24, 1966

ORDERED:

That the appeal for a variance from the minimum lot frontage and side yard requirements of the R-1-B District to permit erection of a single family dwelling adjoining 3527 Yuma Street, part of lot 898, Sq. 1970, be denied.

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

- (1) Appellant's property is located in an R-1-B District.
- (2) The lot has an irregular shape and fronts on two streets, Alton Place and Yuma Street, N.W. The northern lot line is 48.11 feet, the eastern lot line goes in a southerly direction for a total of 208.56 feet, the lot line then proceeds westerly for 53.24 feet, the south lot line is 18.11 feet, and the west lot line is 235 feet. The lot contains 13,066 square feet of land.
- (3) The subject lot abuts a small triangular lot at the Yuma Street lot line. The triangular lot, Lot 884, contains 2,324 square feet of land.
- (4) Lot 898 is improved with an existing dwelling on Alton Place.
- (5) Appellant proposes to erect a single family dwelling on the southern part of the subject lot 898.
- (6) At the public hearing, the owner of Lot 884 stated that he would sell the appellant a portion of his lot to make the required frontage and square off Lot 898.
- (7) Section 3301.1 of the Zoning Regulations requires that lots in the R-1-B District have a minimum width of 50 feet.
- (8) Section 3305.1 requires that lots in the R-1-B District have side yards of a minimum width of eight (8) feet.
- (9) Opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that appellant has failed to prove a hardship within the meaning of the variance clause of the Zoning Regulations. Although appellant's lot has an irregular shape and does not meet the minimum lot frontage for the R-1-B District, there was testimony from the owner of the abutting lot that the necessary frontage could be purchased. If this purchase is made the lot will conform to the present zoning regulations and the variance would be no longer necessary. In our view, this is a better way of utilizing the property for its residential purposes by bringing the lot into conformance with the Regulations. For this reason, we do not think the hardship is such to justify a variance from the Zoning Regulations.