

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- June 15, 1966

Appeal No. 8793 Murray Strasberg et ux, 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 June 22, 1966.

EFFECTIVE DATE OF ORDER: August 24, 1966

ORDERED:

That the appeal for a variance from the side yard requirements or in the alternative variance from the side and rear yard requirements of the R-1-B District to permit erection of a single family dwelling between 3527 and 3535 Yuma Street, N.W., lot 67, Square 1970, be granted.

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) Appellants propose to erect a single family detached dwelling on the lot.
- (3) The lot has a 67.04 foot frontage on Yuma Street and a minimum width of 34.93 feet.
- (4) The proposed dwelling would have two living levels, each with a floor area of approximately 1200 square feet. The upper floor would be approximately at the level of the street and have an attached carport; the lower floor would be below street level.
- (5) The lot slopes downward from the street with an average grade of about 20 percent. To permit erection of a structure with the desired floor area with an attached carport necessitates a side yard of 2 feet along a portion of the west lot line.
- (6) The west lot line of the subject property abuts lot 872 which is improved with a two story frame structure. The rear yard of lot 872 has a small unoccupied building which contains no heat or water.
- (7) The average width of appellants' property is 50½ feet.
- (8) Appellants state that they have been unsuccessful in efforts to secure a portion of the rear yard of lot 872.
- (9) A triangular portion of the subject lot, some 620 feet, has been sold to the owner of lot 898 in order that that lot have the necessary frontage for erection of a single family dwelling.
- (10) No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

The Board is of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations, as denial of the relief requested will prevent a reasonable use of the property as zoned. Granting of this appeal will not adversely affect the use of neighboring property nor impair the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.