

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- August 24, 1966

Appeal No. 8856 Joseph Gatti 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 at the meeting of the Board on August 31, 1966.

EFFECTIVE DATE OF ORDER -- Nov. 10, 1966

ORDERED:

That the appeal for a variance of the use provisions of the R-1-B District to permit a non-profit club at 4200 - 16th Street, NW., lot 6, square 2645, be denied.

FINDINGS OF FACT:

(1) An exterior inspection of the property was made by the Board on August 23, 1966. The lot is improved with a two story brick dwelling with a large yard.

(2) The property is located in an R-1-B District.

(3) It is proposed that the property be used by the Polish Club of Washington.

(4) The Polish Club of Washington is described as a non-profit group organized November 10, 1950 for the purpose of preserving the Polish language and Polish culture. The group now has a membership of approximately 300 persons. Monthly meetings are held and are attended by about 50 members.

(5) It is proposed that the building be used for meetings, classes, and social events.

(6) The premises are now being used as a single family dwelling.

(7) Opposition to the granting of this appeal was registered at the public hearing. The Rock Creek East Neighborhood League opposed this appeal. Sixteen (16) persons appeared at the public hearing to express opposition. Ten (10) letters are in the record opposing this appeal. The record contains eight (8) letters from members of Congress requesting favorable consideration.

OPINION:

This appeal is for a variance from the use provisions of the R-1-B District. Thus, appellant must show a hardship inherent in the land which prevents the use of the property for its zoned purpose, and appellant has failed to show such a hardship. The only evidence presented went to the proposed use of the property. There is no question that the property can be used for its zoned purpose under the existing regulations. Therefore, the requested variance must be denied for failure to prove a hardship.