

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- November 16, 1966

Appeal No. 8978 A. Eugene Steward, 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 January 27, 1967.

ORDERED:

That the appeal for a variance from the provisions of Paragraph 1302.2 to permit subdivision, variance from the side yard, lot occupancy and minimum lot area requirements of the R-2 District to permit erection of 3 single-family dwellings at 934 Kearney Street, NE., lot 1, square 3830, be denied.

FINDINGS OF FACT:

- (1) The subject property is located in a R-2 District.
- (2) The property is a corner lot and is improved with a large single-family dwelling which, appellant states, needs repair.
- (3) The lot has a 50 foot frontage on Kearney Street, and a depth of 150 feet and contains 7,500 square feet.
- (4) It is proposed to erect three single-family row dwellings on the lot.
- (5) The lot would be subdivided as follows: one lot would have a frontage of fifty feet and a depth of fifty feet and contain 3,500 square feet, and the other two lots would each have frontages of 40 feet and a depth of fifty feet and contain 2,000 square feet.
- (6) The Brookland Citizens Association indicated approval of the appeal and no opposition to the granting of this appeal was registered at the public hearing.

OPINION:

The Board concludes that appellant has failed to show any hardship which would justify a variance from the strict application of the Zoning Regulations. The property is level and no unusual in any way. It can be subdivided in conformity with the Regulations to create two building sites for semi-detached dwellings. Admittedly, this subdivision would not be satisfactory to the appellant but some hardship relating to the land must be established in order that a variance be granted. Here, the hardship, if any, is being created by the proposed development of the site.