

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- November 16, 1966

Appeal No. 9002          Devlin Lumber Company, 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 November 29, 1967

ORDERED:

That the appeal for a variance from the FAR requirements of the R-5-A District to permit an 8-unit apartment house at 3615 B Street, SE., lot 27, square 5421, be denied.

FINDINGS OF FACT:

(1) The subject property is located in an R-5-A District.

(2) In Appeal No. 8109 the Board of Zoning Adjustment granted a variance from the provisions of Paragraph 7205.12(b) to permit parking less than three feet from the side lot and to park two automobiles in front of the building at 3614 B Street, SE.

(3) A seven-unit apartment building was to be constructed on the site.

(4) Construction of the building was begun by a previous owner of the property. The present owner, appellant, became the owner of the property when there was a foreclosure sale of the property.

(5) Appellant desires to add another apartment in the basement space formerly designated for use as an equipment area. This apartment would be used by a caretaker.

(6) No opposition to the appeal was registered at the public hearing.

OPINION:

We are of the opinion that this appeal must be denied. There is no showing of any hardship relating to the property sufficient to allow a variance from the FAR provisions of the Regulations. Indeed the apartment has been built according to the plans submitted and within the permitted FAR. The convenience of the property owner but has no relationship to the use of the property within the pro-

visions of the Zoning Regulations.

There is no hardship asserted or proved relating to this property that would support a variance from the Zoning Regulations.