Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- November 16, 1966
REHEARING -- March 22, 1967

Appeal No. 9006 Dunphy Properties, Inc. appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and carried with Messrs. William F. McIntosh dissenting and Samuel Scrivener, Jr. absent, the following Order was entered at the meeting of the Board on March 29, 1967.

EFFECTIVE DATE OF ORDER - Jan. 12, 1968

ORDERED:

That the appeal for variance from the minimum lot area and width requirements of the R-4 District to permit erection of two single-family dwellings at 211 and 213 - 9th Street, SE., lot 823, square 923, be granted.

FINDINGS OF FACT:

(1) The subject property is located in an R-4 District.

(2) The property has a 30 foot frontage on 9th Street, SE., a depth of 88 feet and contains approximately 2,640 square feet. The lot is improved with a two story frame structure.

(3) Appellant proposes to raze the existing building, subdivide the lot, and construct two (2) three story row dwellings.

(4) The proposed dwellings would have frontages of 14.75 and 15.25 feet on 9th Street. One lot would contain 1,342 square feet while the other would contain 1,298 square feet.

(5) Appellant introduced evidence at the rehearing to indicate that there are 42 houses in the 200 block of 9th Street, of this number, 15 houses are on lots 15 feet wide or less.

(6) Appellant states that a 30 foot house on the subject property would be too expensive for this area and unsaleable.

(7) The Capitol Hill Restoration Society and the Capitol Hill Southeast Citizen Association supports this appeal. No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that appellant has shown a hardship within the meaning of the variance clause of the Zoning Regulations and that refusal to grant the relief requested will prevent a reasonable use of the property as zoned. The proposed dwellings will have frontages of approximately 15 feet and will have no adverse effect upon nearby and adjoining property as there are other dwellings in the immediate neighborhood with the same frontage or less. We feel that the granting of this appeal will not impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Maps.