

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - March 22, 1967

Appeal No. 9147 H.M. Ammerman, et al, appellants.

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 March 28, 1967.

ORDERED:

That the appeal for variance from minimum lot area and width requirements of the R-3 District to permit subdivision and erection of 2 single-family row dwellings at 1314 - 35th Street, N.W., lot 90, Sq. 1227, be denied. A request for rehearing was denied, with Mr. Davis dissenting, on April 18, 1967.

FINDINGS OF FACT:

1. The property is located in a R-3 District.
2. Appellant proposes to subdivide a tract of land 28 by 100 feet containing 2,800 square feet into 2 lots each containing 1,400 square feet.
3. An R-3 District requires that a lot for a row building contain not less than 2,000 square feet and be not less than 20 feet in width.
4. A petition with 29 signatures was submitted in favor of this application.
5. There was opposition to this application expressed by property owners and the Georgetown Citizens Association.
6. At the April 12, 1967, public hearing, appellant requested a rehearing or reconsideration of the appeal. That request was denied at the April 18, 1967 meeting of the Board by a 4 to 1 vote, Mr. Davis dissenting. There was no evidence that a rehearing would produce new evidence that was not or could not have reasonably been presented at the original hearing.

OPINION:

We are of the opinion that the appellant has not submitted evidence of any unusual condition or hardship which would prevent him from using this property for a building or a

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structure which would conform to the requirements of the R-3 District. The fact that earlier property was constructed on substandard lots materially smaller than now provided for within the Zoning Regulations is not sufficient justification to continue the practice.

We therefore deny this request.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:

  
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JAMES E. BESS  
Secretary of the Board