

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - April 12, 1967

Appeal No. 9159 Bernard F. Saffell, 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 April 18, 1967.

EFFECTIVE DATE OF ORDER - June 1, 1967

**ORDERED:**

That the appeal for a variance from the lot occupancy requirements of the R-2 District and from Sect. 7502.2 to permit garage to occupy more than 30% of required rear yard at 4109 Emery Place, N.W., lot 57, square 1737, be granted.

**FINDINGS OF FACT**

1. The subject property is located in an R-2 District.
2. The property is improved with a detached single-family dwelling.
3. The lot has a 35.0 foot frontage on Emery Place, N.W., and a depth of 100.0 feet.
4. It is proposed to erect a two-car garage 17.0 feet by 26.0 feet abutting a 15-foot public alley to the rear. Ingress and egress shall be maintained from a 10-foot public alley which abuts the east lot line.
5. The area between the dwelling and the proposed garage will measure 11.0 feet.
6. Section 3304.1 provides that a rear yard with a minimum of 20 feet shall be provided for each structure in an R-2 District.
7. Section 7502.2 provides that where there is an accessory building, not over 30 percent of the area of a required rear yard shall be occupied by such building.
8. No opposition to the granting of this appeal was registered at the public hearing.

**OPINION:**

We are of the opinion that the appellant has shown a hardship within the meaning of the variance clause of the Zoning Regulations. We believe that to permit this use would be reasonable and that the granting of this appeal will not adversely affect the use of neighboring property, nor substantially impair the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

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

ATTESTED:

By:

A handwritten signature in cursive script, appearing to read "Charles E. Morgan", is written over a solid horizontal line.

CHARLES E. MORGAN  
Secretary of the Board

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY  
UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH  
THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE  
EFFECTIVE DATE OF THIS ORDER.