

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- April 12, 1967

Appeal No. 9164      Mary E. Atkins, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and carried, with Mr. William S. Harps absent, the following Order was entered at the meeting of the Board on May 22, 1967.

EFFECTIVE DATE OF ORDER - Oct. 13, 1967

ORDERED:

That the appeal for a variance from the side yard requirements of the R-2 District to permit aluminum awning on rear of dwelling at 1654 - 40th Street, SE., lot 57, square 5523, be granted.

FINDINGS OF FACT:

- (1) The subject property is located in an R-2 District.
- (2) The hearing was originally scheduled to be held April 12, 1967 but appellant did not appear. After a letter was sent May 5, 1967, appellant appeared at the May 17, 1967 public hearing.
- (3) The property has a 16 foot frontage on 40th Street, SE. and a depth of 107 feet. The lot contains an area of 1,712 square feet.
- (4) The property is presently improved with a single-family row dwelling.
- (5) Appellant proposes to place an aluminum awning over a rear slab 6 feet by 14 feet eight inches (6' x 14' 8").
- (6) The property does not now have a conforming side yard under the present Zoning Regulations.
- (7) There was no opposition to the granting of this appeal registered at the public hearing.

OPINION:

We are of the opinion that the appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations, that refusal to grant the relief requested will prevent a reasonable use of the property as zoned, and that the granting of this appeal will not adversely affect the use of neighboring property nor impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.