

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- April 12, 1967

Appeal No. 9179 James Mehring, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and carried with Messrs. Hatton and McIntosh dissenting, the following Order was entered at the meeting of the Board on April 18, 1967.

EFFECTIVE DATE OF ORDER -- June 26, 1967

ORDERED:

That the appeal for variance of the minimum lot area and width requirements of R-1-B District to permit subdivision and erection of a single-family dwelling at 1319 - 45th Place, SE., lots 111-113 inclusive, square 5365, be granted.

FINDINGS OF FACT:

- (1) The subject property is located in an R-1-B District.
- (2) The property consists of three lots having a combined area of 10,307 square feet of land.
- (3) The lot 113 is improved with a one-story single-family frame house. The other two lots, 111 and 112 are unimproved.
- (4) Appellant states that the property was purchased in February 1967.
- (5) Appellant proposes to subdivide the property into two lots and erect a single-family brick dwelling.
- (6) The proposed subdivision for the unimproved lot would have a 43 foot frontage on 45th Place, SE. and a depth of 99 feet with a total area of 4,257 square feet. The other lot with the existing dwelling would have a total area of 6,050 square feet.
- (7) Some improved lots in the neighborhood have less than the required street frontage.

(8) Minimum lot dimensions for dwellings in the R-1-B District are 5,000 square feet in area and 50 feet in width.

(9) No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

Although one of appellant's lots will deviate from the requirements for lots in the R-1-B District, the Board concludes that the granting of this appeal will not be detrimental to the surrounding area, as other improved lots in the neighborhood are below the minimum lot dimensions of present Zoning Regulations.

Further, we are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations, and that failure to grant the requested relief will prevent a reasonable use of the property as zoned. 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.