

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - May 17, 1967

Appeal No. 9222 Richard Gant et ux, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of May 22, 1967.

EFFECTIVE DATE OF ORDER - September 29, 1971

ORDERED:

That the appeal of Richard Gant et ux for a variance from the side yard requirements of the R-1-B District to permit erection of a single family dwelling at 1829 Upshur Street, N.E., lot 22, Square 4191 be Denied.

FINDINGS OF FACT:

1. Appellants property is located in an R-1-B District.
2. The subject property is fifty-two feet wide.
3. The lot is vacant.
4. Appellants proposes to erect a single family house with five foot side yard on both sides.
5. Appellant alleges that if he were to comply with the 8-foot side yard requirements, the proposed house would be thirty-six feet wide which would cause him a hardship.
6. Appellant also alleges that due to an error in the plat book, his plans were made based on the information gathered for the plat book.
7. There was opposition to the granting of this appeal registered at the Public Hearing.

OPINION:

We are of the opinion that appellant has not proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief cannot be granted without substantial detriment to the public good and without substantially impairing 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: _____
GEORGE A. GROGAN
Secretary of the Board