

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- June 14, 1967

Appeal No. 9238 Walter L. Holland et al, appellant.

The Zoning Administrator of the District of Columbia, appellee

On motion duly made, seconded and carried with Mr. McIntosh not voting, the following Order was entered at the meeting of the Board on June 20, 1967.

ORDERED:

That the appeal for variance from the provisions of section 7202.12 and 7205.2 to permit open parking space in front of dwelling and within 10 feet thereof, at 3131 O Street, S.E., lot 807, Square 5544, be denied.

FINDINGS OF FACT:

(1) The subject property is located in an R-1-B District.

(2) The lot has approximate dimensions of 50 feet on O Street, S.E., 110.43 on the western lot line, 111.62 feet on the east lot line, and 47.34 feet on the south lot line. The lot contains approximately 5,400 square feet.

(3) The property is presently improved with a single-family detached dwelling.

(4) Appellant proposes to locate off-street parking space in front of the dwelling and within ten feet of the dwelling.

(5) Appellant stated that the house was built with a garage as part of the structure but was converted into a den in 1959.

(6) The records of Licenses and Inspections do not reveal any permit for the construction of the den.

(7) Testimony indicated that the firm is no longer in existence and the parents of the owner, who resided on the property and owned the property, are now deceased.

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

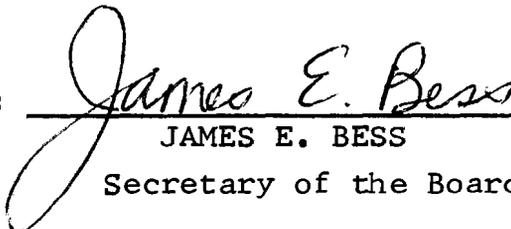
OPINION:

We are of the opinion ~~that~~ the appellant has failed to prove any hardship within the meaning of the zoning regulations to support a variance from the regulations. The off-street parking space was removed at the option of the property owner without approval of this Board. In such cases we are mindful that the regulations require that all dwellings have an off-street space. That space can be located in the side or rear yards. This seems to be the appellant's solution to his problem. If we grant a variance of this kind, there is no incentive for locating the parking space in the proper place on the property and keeping that location free and clear for the parking. In this instance, the space was removed at the desire of the property owner and a purely economic or financial hardship is not sufficient to support the granting of a variance.

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

ATTESTED:

By:



JAMES E. BESS
Secretary of the Board