

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- August 16, 1967

Appeal No. 9332      Woodie L. Branch, 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 August 16, 1967.

EFFECTIVE DATE OF ORDER - August 28, 1967

**ORDERED:**

That the appeal for variance from the floor area ratio, lot occupancy, rear yard and open court requirements of the R-5-C District to permit attached garage at 1404 - 12th Street, NW., lot 41, square 279, be granted.

**FINDINGS OF FACT:**

- (1) The subject property is located in an R-5-C District.
- (2) The property has an 18.75 foot frontage on 12th Street, NW., a depth of 85 feet, and contains approximately 1,590 square feet.
- (3) It is proposed to erect a garage attached to rear of the existing dwelling, a three-story and basement building.
- (4) The site is presently 75% occupied and the proposed addition will cause the site to be over-occupied by approximately eight (8) square feet.
- (5) It is stated that the proposed garage will cause excess FAR by five square feet.
- (6) No opposition to the granting of this appeal was registered at the public hearing.

**OPINION:**

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the request will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, the requested relief can 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.