

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - April 17, 1968

Appeal No. 9558 Louis Bojan et ux, appellants.

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 April 17, 1968.

ORDERED:

That the appeal for a variance from the side yard requirements of the R-5-A District to permit row houses in the unit block of 41st St. N.E., lots 87-92, square 5084, be granted.

FINDINGS OF FACT:

1. The subject property is located in a R-5-A District.
2. The property measures 147.5 feet along 41st Street and 100 feet in depth.
3. The appellant proposes to erect eight row dwellings with frontal measurements in excess of 18 feet.
4. It is proposed to close the 15 foot public alley to the rear of the property, and also to close a portion of Ames Street south of the subject site. In the portion of Ames Street that will be closed, there is 25 feet of property that would be attributable to the subject property. Any additional dwelling erected on this 25 foot strip would be in accordance with the Zoning Regulations.
5. The appellant proposes to construct dwellings containing two stories and a basement set on spread footings. Parking is to be provided in the basement of the dwellings with access from 41st Street.
6. No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

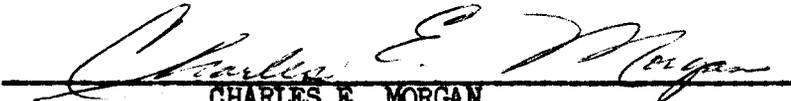
We are of the opinion that the appellant has shown a hardship within the meaning of the variance clause of the zoning regulations sufficient to support the requested variance. Appellant's property is such that the development of the site under the R-5-A zoning would pose substantial problems for the owner. In addition, the proposed row dwellings would not seem to be detrimental to development in the area as the same area will be developed to a lesser density than the normal R-5-A construction.

We hold that 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.

Since the proposed development is for single-family dwellings, we do not believe that the normal FAR considerations apply.

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

ATTESTED:

By: 
CHARLES E. MORGAN
Secretary of the Board

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.