

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - December 18, 1968

Appeal No. 9746 Floyd and Lola Lewis, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and carried, with Messrs. William S. Harps and Samuel Scrivener absent, the following Order was entered at the meeting of the Board on January 7, 1969.

ORDERED:

That the appeal for a variance from the provisions of Section 7205 to permit open parking spaces within 10 feet of dwelling and 3 feet of lot line at 2520 - 36th Place, SE., lot 90, Square 5684, be denied.

FINDINGS OF FACT:

1. The property is located in an R-1-B District.
2. The property is improved with a single family brick building.
3. Appellant proposes to place the required off-street parking space beside the dwelling which will be between a public alley and the dwelling.
4. Appellant alleges that the public alley is at a grade of about 40 percent higher than the rear yard where it was originally planned to place the off-street parking space.
5. Appellant request that this appeal be amended to permit variance of the area of the parking space from 9 x 19 ft. to 8 x 19 ft.
6. Opposition was registered at the public hearing to the granting of this appeal. Opposition alleges that the higher grade in the alley was created by the builder of appellant's dwelling. The Builder allegedly put excess dirt from appellant's lot into the public alley.

OPINION:

We are of the opinion that this appeal must be denied in that appellant has failed to prove a hardship within the meaning of the variance clause of the Zoning Regulations.

Further, we hold that the subject property contains a sufficient area for the required parking space. Additionally, the granting of the relief sought will adversely affect nearby and adjoining property and substantially impair the intent, purposes and integrity of the Zoning Regulations and Map.

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

ATTESTED:

By: \_\_\_\_\_



CHARLES E. MORGAN  
Secretary of the Board