

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - December 18, 1968

Appeal No. 9863 W.C. and A.N. Miller Development Co. on behalf of Leonard D. Sullivan, et ux, contract purchaser; appellants.

The Zoning Administrator of the District of Columbia, appellee.

EFFECTIVE DATE OF ORDER - March 27, 1969

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on January 7, 1969.

ORDERED:

That the appeal for variance from the minimum lot area and width requirements of the R-1-B District to permit three single-family dwellings at the southeast corner of 47th and Upton Streets, N.W., lots 13 through 18 and 804, Square 1557, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-1-B District.
2. Appellant proposes to erect three single-family dwellings with standard side yards. Two of the three proposed lots will contain 45-foot frontages.
3. Appellant asserts that the single-family dwelling next to the Massachusetts Avenue boundary of this property contains a 40-foot frontage.
4. Off-street parking will be provided with construction of garages to be built on the alley line where the alley adjoins the subject property.
5. Two lots will contain 4,500 square feet in area while the third lot will contain something in excess of 4,500 square feet.
6. Facades of the proposed detached dwellings will be traditional in character.
7. No objection to the granting of this appeal was registered at the public hearing.

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OPINION:

We are of the opinion that the appellant has shown a hardship within the meaning of the variance clause of the Zoning Regulations and that failure to grant the relief requested will prevent a reasonable use of the property as zoned. Granting of this appeal will not adversely affect the use of neighboring property nor impair the intent, purpose and integrity of the zone plan.

Although appellant's lots deviate from the requirements for lots in the R-1-B District, the Board concludes that the granting of this appeal is not inconsistent with other existing improved lots in the area as indicated on the Baist Atlas.

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.