

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - March 19, 1969

Appeal No. 9969 Aaron Riskin, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellant.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on March 25, 1969.

EFFECTIVE DATE OF ORDER - June 17, 1969

ORDERED:

That the appeal for variance from use, side yard, and floor area ratio requirements of the R-5-A District to permit single-family row dwellings adjoining 1801 Naylor Road, SE., lots 1, 30-37, Square 5627, be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-5-A District.
2. Appellant proposes to construct single-family row dwellings on the subject site and requests that the Board permit variance from the side yard and floor area ratio requirements and variance of the use provisions of the R-5-A District.
3. Appellant alleges that the topography of the ground is such that a deep gully runs down the center of the property, and that the subsoil conditions are such that it is not feasible to develop the property as an apartment house.
4. No objection 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 requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Appeal No. 9969
PAGE 2
June 17, 1969

OPINION cont'd

Further, 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.

This Order shall be subject to the following conditions:

- (a) Single-family row dwellings shall be erected.
- (b) This appeal is granted in accordance with the Exhibit No. 2 submitted in BZA Appeal No. 9969.

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.