

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - December 10, 1969

Appeal No. 10203 Kenneth Little, et ux, appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried, with Arthur P. Davis dissenting, the following Order of the Board was entered at the meeting of December 16, 1969.

ORDERED:

That the appeal for variance from the lot occupancy requirements of the R-3 District to permit erection of accessory building at 3027 Q Street, NW., lot 807, Square 1282, be denied.

FINDINGS OF FACT:

1. The subject property is located in an R-3 District and measures approximately 5,872.5 square feet.

2. The property is improved with a semi-detached single-family dwelling and garage.

3. Appellant proposes to erect a conservatory for orchids and tropical plants to the rear of the property which would increase the percentage of lot occupancy to 46.5 percent.

4. The proposed conservatory is to contain a fully enclosed patio and is to be heated in winter. It will have plants in the ground, plants in pots and a small pond. Tables and lounge chairs will be used for recreational purposes.

5. Appellant amends this appeal to request a variance from the definition of "rear yard" as that term is used in the Zoning Regulations in that the rear yard must be located between the rear wall of the conservatory and the rear lot line. In this appeal, the rear wall of the conservatory is located on the rear property line.

6. It is asserted that the location of the conservatory has been selected primarily because of light considerations for plants.

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7. Objection to the granting of this appeal was registered at the public hearing. BZA File No. 10203 contains letters in opposition to this appeal.

OPINION:

We are of the opinion that appellant has not proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will not result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief cannot 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.

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

ATTESTED:

By: 
CHARLES E. MORGAN
Secretary of the Board