

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - August 12, 1970

Appeal No. 10503 J.V. Mladek, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of August 18, 1970.

EFFECTIVE DATE OF ORDER - Nov. 10, 1970

ORDERED:

That the appeal for variance from the rear yard, lot occupancy and closed requirements of the R-3 District to permit bridge connection to residence at 1323 - 30th Street, NW., Lot 832, Square 1234, be partially granted.

FINDINGS OF FACT:

1. The subject property is located in an R-3 District.
2. The subject property is improved with a four (4) story brick building which is a single family dwelling. The building has an unattached extension which was a four (4) car garage but appellant uses it as a two (2) car garage with swimming pool.
3. Appellant proposes to construct a narrow glass-wall greenhouse walkway which would provide passage between the main house and the pool house and also a bridge suspended from the terrace of the main house to the terrace of the pool house.
4. Appellant alleged that the walkway and bridge was needed to have safe access to the swimming pool during the winter months and at night. The bridge would also serve as a fire escape. The swimming pool was recommended by appellant's physician because he and his wife suffer from a painful malfunction of the spine and swimming is recommended as a relieving exercise.
5. Appellant's property is 120 by 30 feet and the court is 12 by 30 feet. (See BZA Exhibit No. 7).
6. Opposition to the granting of this appeal was registered at the public hearing.

OPINION:

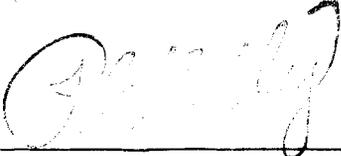
We are of the opinion that appellant has proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

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.

That portion of the appeal dealing with the suspended terrace bridge is denied.

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

ATTESTED:

By: 

PATRICK E. KELLY
Secretary of the Board

THAT THE APPEAL IN 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.