

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - March 17, 1971

Appeal No. 10702 David and Karen Clarke, appellants.

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 March 23, 1971.

EFFECTIVE DATE OF ORDER - April 8, 1971

ORDERED:

That the appeal for variance from the open court requirements of R-4 District to permit a second story rear addition to dwelling at 407 A Street, N.E., lot 817, Square 816 be granted conditionally.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.
2. The property is improved with a two story brick single family row dwelling.
3. The appellant proposes to erect a second story rear addition to the existing dwelling (See Exhibit #2).
4. The dimensions of the appellants' lot are 13.14' x 76' and the dimensions of the proposed addition will be 9.7' x 20". The addition will be built over the existing first story, therefore, the lot occupancy will not change.
5. No opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that appellants have proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will re-

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sult 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.

This Order shall be subject to the following condition:

- a. The second floor addition shall be no larger than the first floor foundation.

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

ATTESTED:

By: _____

PATRICK E. KELLY

Secretary of the Board

THAT 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.