

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - September 13, 1972

Application No. 11112 Chamberlain Cotton, Appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, Appellee

On motion duly made, seconded and carried with Mr. Mackey absent and Mr. Scrivener dissenting, the following Order of the Board was entered at the meeting of November 1, 1972.

ORDERED:

That the application for variance from the rear and side yard requirements of the R-1-B District to permit roof over existing porch at 5325 Manning Place, N.W., be DENIED.

FINDINGS OF FACT:

1. Subject property, 5325 Manning Place, N.W., is in an R-1-B District which is defined by the Zoning Regulations as an area of one-family detached dwellings of high density.

2. Subject property is a one-family, two-story brick structure.

3. It is applicant's intention, with this Board's permission, to place a roof over an existing sun porch.

4. Applicant seeks this variance pursuant to Section 8207.11 of the Zoning Regulations which obligates this Board to make a finding of hardship upon the owner if the variance were, in fact, denied.

5. No opposition was voiced at the public hearing against this application, nor were any letters in opposition submitted to the file for the Board's consideration.

OPINION:

This is an application by the owner of the premises located at 5325 Manning Place, N.W., for a variance from the rear and side yard requirements of R-1-B Districts, which would enable applicant to construct a roof over an existing porch.

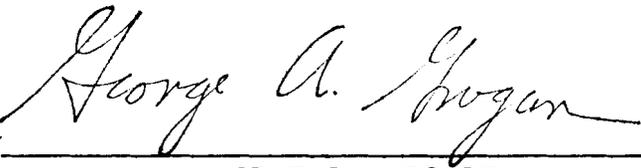
Application for this variance is pursuant to Section 8207.11 of the Zoning Regulations. This section imposes the onus upon the owner to demonstrate to the Board that "in the absence of a variance, practical difficulties would result" (Cite Palmer, District Court of Appeal's).

The Board is not satisfied that the applicant in the case herein has met his burden adequately. Applicant suffers fundamental difficulties due to the unique circumstances peculiar piece of property that he owns.

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 

GEORGE A. GROGAN
Secretary of the Board

January 5, 1973