

Before the Board of Zoning Adjustment, D. C.

Application No. 11447, of Dr. and Mrs. Michael A. Proctor for a variance pursuant to Section 8207.11 to permit the erection of a rear deck addition to an existing dwelling as provided by Section 3305.1 at 417 Whittier Street, N.W., Lot 3, Square 3274.

HEARING DATE: August 29, 1973

EXECUTIVE SESSION: September 11, 1973

FINDINGS OF FACT:

1. The property is improved with a single family detached dwelling in a R-1-B Zone.
2. The floor level of the deck will be an inch and a half below the first floor with a railing. The proposed deck will be three and a half feet above ground.
3. Applicant wishes to build the deck even with the side walls of the house. With the deck in place this would leave a 100 foot rear yard. The side yard is 5.5 feet and 12.5 feet and the lot is 165 by 50. Under the regulations an 8 foot side yard is required. If the deck were built it would be two and a half feet short of required side yard.
4. The deck would extend six feet past the existing structure and 48 feet deep.
5. At no time did applicant demonstrate any hardship as required in Section 8207.11 of the Zoning Regulations.
6. No opposition was voiced at the public hearing.

CONCLUSIONS OF LAW:

Based upon the above findings of fact the Board is of the conclusion that applicant has not proved a hardship or that a denial of the requested relief would result in exceptional conditions to the property such as to constitute a hardship upon the owner.

Application No. 11447  
PAGE 2

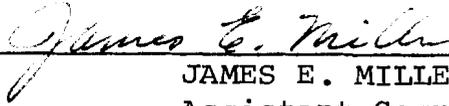
ORDERED:

Thta the above application be DENIED.

VOTE: 4-1 Mr. Harps dissenting.

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

ATTESTED By: \_\_\_\_\_



JAMES E. MILLER  
Assistant Secretary  
for the Board

FINAL DATE OF THIS ORDER: **OCT 19 1973**