

Before the Board of Zoning Adjustment, D. C.

Application No. 11557 of Sidney B. Jaques, pursuant to Section 8207.11 of the Zoning Regulations for variances from the lot occupancy and rear yard requirements of the R-3 District to permit the construction of a rear deck addition at the premise located 1641 Avon Place, N. W., Lot 98, Square 1282.

HEARING DATE: February 13, 1974

EXECUTIVE SESSION: February 21, 1974

FINDINGS OF FACT:

1. The proposed rear deck is to be constructed from the rear of the existing dwelling to the rear property line of the existing lot.

2. The proposed addition is to be constructed above the level of the garage of existing dwelling with stair on one side leading to the surface level of the dwelling.

3. The allowable lot occupancy of the R-3 Zone is 60% as provided by Section 3303.1 of the Regulations or 842.40 square feet in this case, whereas, the applicant will occupy 1,000 square feet if the requested variance is granted.

4. The rear yard requirement for the R-3 District is 20 feet as provided by Section 3304.1 of the regulations, whereas, the applicant will provide only a four foot rear yard on the side of the proposed deck balcony.

5. The applicant made no statements at Public Hearing as to facts indicating the existance of a practical difficulty or hardship peculiar to the subject property.

6. Objection was registered.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact, the Board concludes that the requested variances cannot be granted. The applicant has not carried his burden of proving a hardship which is prerequisite to the granting of a variance. This addition would

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create almost 100% lot occupancy and the Board is of the opinion that the requested relief will have an adverse effect on adjoining property and that such addition would impair the intent of the Zoning Regulations.

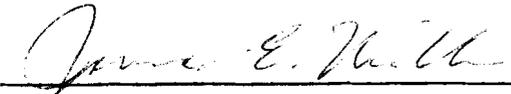
ORDERED:

That the above application be DENIED.

VOTE: 4-0 (Mr. Harps absent, not voting)

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

ATTESTED By:



JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER: MAR 26 1974