

Before the Board of Zoning Adjustment, D. C.

Application No. 11687 of Mr. and Mrs. Sanford Friedman pursuant to Section 8207.1 of the Zoning Regulations for a variance from the side yard requirements of the R-1-B zone provided by Section 3305.1 of the Zoning Regulations for permission to construct a rear addition to a single-family dwelling located at 3839 Garrison Street, N. W., Lot 38, Square 1815.

HEARING DATE: August 21, 1974

EXECUTIVE SESSION: August 27, 1974

FINDINGS OF FACT:

1. The application proposes to construct a two-story rear addition to a single-family dwelling which was erected in 1929.
2. The lot on which the existing dwelling is located is abutted by a 16 foot alley which was dedicated in 1924.
3. At the time the existing dwelling was constructed, the Zoning Regulations of 1920 allowed one-half of the 16 foot alley to be considered as part of the side yard requirement, however, the Zoning Regulations in effect at the present time do not allow an alley to be included in the measurement of a side yard.
4. The side yard requirement of the R-1-B zone is 8' feet, whereas, the existing dwelling has one side yard which measures 9.79 feet and another which measures 3.12 feet.
5. The applicant requires an area variance of 2.79 from Section 3305.1.
6. The proposed addition would extend towards the rear yard 7 feet by 14.4 ft. wide.
7. No opposition was registered at public hearing.

CONCLUSION OF LAW & OPINION

Based upon the above findings, the Board is of the opinion that strict application of the Zoning Regulations would create a practical difficulty to the owner of the subject property because of the non-conformity of the existing structure to the current Zoning Regulations, when the building was constructed within the requirements of the existing Zoning Regulation 45 years ago. The Board is further of the opinion that strict application of the Zoning Regulations would deny the owners of the subject property a beneficial use of their property, and, the granting of the requested relief would not be to the detriment of the public good or impair the meaning and intent of the Zoning Regulations.

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ORDERED: That the above application be GRANTED.

VOTE: 5-0

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

ATTESTED BY: James E. Miller  
JAMES E. MILLER,  
Secretary to the Board

FINAL DATE OF ORDER: **OCT 02 1974**

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 DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER  
THE EFFECTIVE DATE OF THIS ORDER.