

Before the Board of Zoning Adjustment, D. C.

Application No. 11731 of Malcolm MacArthur, pursuant to Section 8207.1 of the Zoning Regulations for a variance from the side yard requirements of the R-1-B Zone to permit a rear addition to a dwelling at 6612 31st Place, N. W., Lot 25, Square 2357.

HEARING DATE: August 21, 1974

EXECUTIVE SESSION: August 27, 1974

FINDINGS OF FACT:

1. The applicant proposes to enclose an existing patio, which is located on the side of the dwelling on the subject property, by extending the brick patio walls upward and constructing a roof.

2. The proposed addition will be an extension of the applicant's dining room and the boundaries of the existing patio will remain the same.

3. The dwelling to which the patio is attached allows a five foot side yard on the patio side, an eight foot yard on the other side of the dwelling.

4. The proposed patio enclosure will not change the lot occupancy or vary the side yard dimensions of the existing structure located on the subject property.

5. No opposition was registered at the Public Hearing.

CONCLUSIONS OF LAW:

Based upon the above findings, the Board is of the opinion that the addition contemplated by the applicant presents a practical difficulty to the applicant and that strict application of the zoning regulations would deny the applicant a beneficial use of his property which in this case is an improvement which will not adversely affect abutting property owners and will not create a more non-conforming structure on the subject property. The Board concludes that the requested relief can be granted without detriment to the public good and without substantially impairing the intent and purpose of the Zoning Regulations and Maps.

Application No. 11731

Page 2

ORDERED:

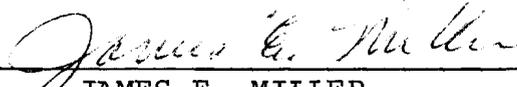
That the above application be GRANTED.

VOTE:

4-0 (Mr. Harps abstaining because he did not hear the case)

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

ATTESTED By:



JAMES E. MILLER

Secretary to the Board

FINAL DATE OF ORDER: **SEP 17 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.