

Before the Board of Zoning Adjustment, D. C.

Application No. 11783 of Catherine B. Anderson, pursuant to Section 8207.2 of the Zoning Regulations for an area variance from the side requirements of the R-1-B zone to permit the enclosure of a side yard porch at 5707 Kansas Avenue, N. W., Lot 52, Square 3385.

Hearing Date: November 20, 1974

Final Date of Decision: January 6, 1975

ORDERED: That this application, having been uncontested at public hearing and GRANTED by this Board, the applicant's motion to waive the ten (10) day period for the purpose of post-hearing appeals, be and is hereby GRANTED making the Board's order dated January 6, 1975, effective for the purpose of making application for a building permit.

BY ORDER OF THE D. C. Board of Zoning Adjustment

ATTESTED BY:


JAMES E. MILLER,
Secretary to the Board

FINAL DATE OF ORDER: JAN 07 1975

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.

Before the Board of Zoning Adjustment, D. C.

Application No. 11783 of Catherine B. Anderson, pursuant to Section 8207.2 of the Zoning Regulations for an area variance from the side yard requirements of the R-1-B Zone to permit the enclosure of a side yard porch at 5707 Kansas Avenue, N. W., Lot 52, Square 3385.

HEARING DATE: November 20, 1974

FINDINGS OF FACT:

1. The applicant requests approval of the enclosure of a side yard porch, such enclosure completed without the approval of this Board, a side yard variance being required.

2. The Board finds that the applicant had the side yard porch in question enclosed on reliance of representations made by her contractor that all legal requirements were or would be satisfied for such construction.

3. Section 3305 of the regulations requires an eight feet side yard in the R-1-B Zone, whereas, the enclosure in question existed as a porch providing only a five feet side yard.

4. The purpose of the side yard porch enclosure is to provide a powder room for the existing single family dwelling on the subject property.

5. The enclosure does not reduce the side yard of the pre-existing porch.

6. No opposition was registered to this application at the Public Hearing.

CONCLUSIONS OF LAW AND OPINION:

Based upon the above findings and the record, the Board concludes that strict application of these regulations would result in a practical difficulty to the applicant in making

a beneficial use of her property. Because the enclosure in question does not decrease the existing five foot side yard, the applicant having satisfied Section 8207.11 of the regulations and no opposition having been registered, the Board is of the opinion that the requested variance, if granted, would not adversely affect nearby property or impair the purpose and intent of the Zoning Regulations.

ORDERED:

That the above application be GRANTED

VOTE:

3-0

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

ATTESTED BY:



JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER: 12 06 1975

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.