

Before the Board of Zoning Adjustment, D. C.

Application No. 11948, of Mr. and Mrs. William McDaniels, pursuant to Section 8207.1 of the Zoning Regulations, for a variance from the rear yard requirements of Section 3304.1 of the regulations, and a variance from the side yard requirements of Section 3305.1 of the regulations in the R-1-B Zone, to permit construction of a rear addition (roof dormers and two (2) story rear porch) to a nonconforming structure (Section 7107.22), as provided by Section 8207.11 of the regulations, at the premises 2952 Newark Street, N. W., known as Lot 849, Square 2082.

HEARING DATE: July 22, 1975

DECISION DATE: August 6, 1975

FINDINGS OF FACT:

1. Applicants propose to remodel the existing attic in the single family semi-detached dwelling by raising the double hip roof and adding a roof dormer. A two (2) story screened porch will also be added at the rear of the structure.

2. The subject property is a nonconforming structure located in the R-1-B Zone and has only one (1) side yard.

3. Applicants will provide only sixteen (16) feet of the required twenty-five (25) foot rear yard and will need a nine (9) foot variance.

4. Applicants have no side yard on one side of the subject property and require an eight (8) foot side yard variance. The other side of the property has a twelve (12) foot side yard which is more than adequate.

5. There is no opposition of record to the application.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact and the evidence of record the Board finds that applicants will suffer a prac-

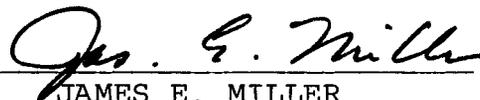
tical difficulty from strict application of the regulations. The proposed area variances will have no effect on the use of the structure for residential purposes but only make the dwelling more livable. There is no other manner in which the applicants can proceed to alleviate the need for the variances and still accomplish the proposed remodeling. Any enlargement to the nonconforming structure will require applicants to meet all court and yard requirements as set forth in Section 7107.22 of the regulations and the applicants are unable to provide the required side yard on one side and cannot provide the required rear yard because of the existing deck. The proposed alterations will not require any additional variances. The area variances can be granted with no substantial detriment to the public good and without substantially impairing the intent of the Zoning Regulations.

ORDER: It is hereby ordered that the above application be GRANTED.

VOTE: 4-1 (Lilla Burt Cummings, Esc., dissenting).

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

ATTESTED By:



JAMES E. MILLER

Secretary to the Board

FINAL DATE OF ORDER:

*Sept. 15, 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.