

Before the Board of Zoning Adjustment, D. C.

Application No. 12087 of Aaron L. Long, pursuant to Section 8207.1 of the Zoning Regulations, for variances from the rear yard requirements (Sub-section 3304.1) and from the side yard requirements (Sub-section 3305.1), to permit a rear addition to a single family dwelling in the R-2 district at the premises 4121 Alabama Avenue, S. E., (Square 5367, Lot 14).

HEARING DATE: March 17, 1976

DECISION DATE: March 23, 1976

FINDINGS OF FACT:

1. The property is located in an R-2 District.
2. The Property is improved with a two story brick, detached dwelling, which fronts on Alabama Avenue, S.E.
3. The existing dwelling currently has an eight foot side yard on the west side, a 15 foot side yard on the east side and 22.5 foot rear yard, all of which conform to the requirements of the Zoning Regulations.
4. The applicant proposes to build a covered carport at the rear of the existing dwelling. The roof of the carport would also serve as a deck for the second floor of the building. This deck would be at the same level as the second floor joists.
5. The deck/carport would extend 19 feet back from the rear of the existing structure, and would be 20 feet wide.
6. The side yard on the east side of the proposed structure would be only four feet, requiring a variance of four feet. The rear yard would be 3.5 feet, requiring a variance of 16.5 feet.
7. There is a dwelling located on the lot immediately to the south of the subject property, the north side of which is located on the lot line which abuts the rear yard of the subject property. There are windows in the north wall of this dwelling.
8. The abutting property owners on the east and south submitted statements indicating they had no objection to "the building of or repairs to be made on said property".

CONCLUSIONS OF LAW AND OPINION:

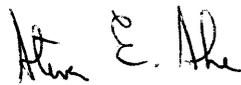
The Board concludes that the requested variance is an area variance, the granting of which requires the showing of a practical difficulty. The Board concludes that the applicant made no showing of any unusual circumstance regarding this lot, or any practical difficulty he might suffer were the variance not granted. The Board further concludes that the scope of the requested relief, amounting to a variance of over 80 percent of the required minimum yard, is so great as to adversely effect the use of adjoining property by allowing the proposed structure to be only 3.5 feet away from an existing dwelling which has windows opening on that side. It is therefore ORDERED that the application be DENIED.

VOTE:

4-0 (Leonard L. McCants, Martin Klauber, William S. Harps and William F. McIntosh to deny, Lilla Burt Cummings, Esq. not voting, not having heard the case)

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

ATTESTED By:



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STEVEN E. SHER  
Secretary to the Board

FINAL DATE OF ORDER: APR 19 1976