

Before the Board of Zoning Adjustment, D. C.

Application No. 12090, of Jerry J. Shipley, pursuant to Sub-section 8207.1 of the Zoning Regulations, for a variance from the side yard requirements (Sub-sections 3305.1 and 7107.2) to permit a side yard addition to a non-conforming structure, in the R-1-A District, at the premises 6343 - 31st Street, N. W., (Square 2344, Lot 32).

HEARING DATE: February 18, 1976

DECISION DATE: February 24, 1976

FINDINGS OF FACT:

1. the property is located in an R-1-A District.
2. The property is developed with an existing two (2) story brick and frame dwelling.
3. There is an existing screened porch on the dwelling measuring 9.3 feet by 12.8 feet. The porch has an existing side yard of 5.6 feet.
4. The applicant intends to reconstruct the porch and extend it for the full length of the house, approximately 24 feet. The whole side yard would then be 5.6 feet wide, requiring a variance of 2.4 feet.
5. The new will partially sit on the same foundation as the old porch.
6. The site slopes down from front to rear, resulting in the back of the house being three (3) stories out of grade with the front only two (2) stories out of grade.
7. There was no opposition to the application.

CONCLUSIONS OF LAW:

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 slope of the site creates such a practical difficulty in this case. The Board concludes that the use of existing footings makes the erection of a new porch similar to the repair or continuation of the old porch. The Board concludes that the extent of non-conformity will not be increased by the granting of this application, and that there will be no adverse neighborhood impact. It is therefore ordered that the application be GRANTED.

VOTE: 3-0 (Mrs. McZier, Mr. Harps and Lilla Burt Cummings, Esq., to grant, Mr. McCants not present not voting, Mr. McIntosh abstaining not having heard the case).

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

ATTESTED By: 
STEVEN E. SHER
Acting Secretary to the Board

FINAL DATE OF ORDER: **MAR 10 1976**

THIS ORDER SHALL BE VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.