

Before the Board of Zoning Adjustment, D. C.

Application No. 12111 of Herbert Lehner, pursuant to Sub-section 8207.1 of the Zoning Regulations, for variances from the rear yard (Sub-section 3304.1) and lot occupancy (Sub-section 3303.1) requirements to permit an addition to an accessory structure in the R-4 District at the premises 928 Maryland Avenue, N. E. (Square 936, Lot 800).

HEARING DATE: March 31, 1976

DECISION DATE: May 3, 1976

FINDINGS OF FACT:

1. The property is located in an R-4 District.
2. The front part of the property is vacant. The rear portion contains a two story coach house, which was an accessory building. Since the dwelling in the front part of the property was razed following a fire, the coach house is now the principal building on the lot.
3. The applicant intends to construct a building on the front part of the lot which will be connected to the existing coach house and form one structure. Such structure will be used as a two family dwelling.
4. The existing coach house is located on the rear property line, adjacent to a ten foot wide public alley. Since the proposed structure will be one building, it would have no rear yard. The Zoning Regulations require a rear yard of 20 feet. No structure could be built on this lot with the existing coach house without a rear yard variance.
5. The proposed lot occupancy of the new structure would be 2,156 square feet. The Zoning Regulations limit lot occupancy to 60 per cent, or 2,043.60 square feet. A variance of 112.40 square feet would be required.
6. There was no opposition to the application.

CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the requested variances are area variances, the granting of which requires the showing of a practical difficulty. The Board concludes that the existence of the coach house does create such a difficulty, in that no structure could be built in front of the coach house without the granting of a variance. The Board concludes that there will be no adverse impact

on the neighborhood or negative effects on adjoining property.
It is therefore, ORDERED that the application be GRANTED.

VOTE:

3-0 (Leonard L. McCants, Martin Klauber and William F. McIntosh
to grant, Lilla Burt Cummings, Esq. and William S. Harps
not voting 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: MAY 4 1976

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 HOUSING AND COMMUNITY DEVELOPMENT
WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.