

BOARD OF ZONING ADJUSTMENT, D. C.

Application No. 12124, of Willie and Mary James, pursuant to Sub-section 8207.1 of the Zoning Regulations, for a variance from the open court requirements (Sub-section 3306.1 and paragraph 7107.22) to permit an addition to a dwelling which is a non-conforming structure in the R-4 district at the premises 3574 - 13th Street, N.W. (Square 2834, Lot 97.)

HEARING DATE: March 23, 1976

DECISION DATE: March 23, 1976 (from the Bench)

FINDINGS OF FACT:

1. The property is located in a R-4 District.
2. The applicant proposes to erect a two (2) story rear addition to the existing two-story structure on the site.
3. The addition will be approximately twelve (12) feet wide, the width of the existing structure and would extend 21 feet to the rear of the existing structure. The addition will enlarge an existing kitchen and will add a family room and studio.
4. The lot is 16.67 feet wide and 127 feet deep.
5. The addition will have an open court four (4) feet wide on its south side. The court will be amended on one side of the addition and the south wall of the existing structure, on one side of the south lot line and on the remaining side of the rear yard.
6. In an R-4 District, an open court must have a minimum width of six (6) feet.
7. A variance of two (2) feet is thus required.
8. The south wall of the addition will be on the same line as the south wall of the adjacent existing structure.
9. 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 width of the lot and the location of the wall of the existing structure combine to provide a practical difficulty such that if the full minimum width of the open court were provided, the design of the addition would not be in harmony with the rest of the property. The Board concludes that there would not be an adverse impact on surrounding or nearby property. It is therefore Ordered that the application be, GRANTED.

VOTE: 3-0 L. McCants, R. McZier, and W. McIntosh
to Grant, Harps, and Lilla Burt Cummings, Esq., not
present, not voting.)

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

ATTESTED BY: *Martin Klauber*
MARTIN KLAUBER

FINAL DATE OF THE ORDER: *March 30, 1976*

THIS 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.