

Before the Board of Zoning Adjustment, D.C.

Application 12175 of Barbara P. Williams, pursuant to Sub-section 8207.1 of the Zoning Regulations, for variances from the rear yard (Sub-section 3304.1 and Paragraph 7107.22) and lot occupancy (Sub-section 3303.1 and Paragraph 7107.21) requirements to permit a rear addition to a non-conforming structure occupied as a dwelling in the R-4 District at the premises 105 - 14th Street, N.E. (Square 1056, Lot 33).

HEARING DATE: June 22, 1976

DECISION DATE: July 13, 1976

FINDINGS OF FACT:

1. The subject property is located in the R-4 Zone District.
2. The subject property is presently maintained and occupied as a single family residence.
3. The applicant proposes to construct a rear deck, eight by twenty feet, to replace a porch that has been allowed to become delapidated and fallen down.
4. The size of the previous porch was six by eight feet.
5. The only hardship offered by the applicant was that because there was presently no back porch, she had to enter and exit in the back yard from the basement door.
6. The applicant could reconstruct a rear stoop three feet six inch by four feet which would allow for easy access to the rear yard.
7. The applicant contends that she is at a disadvantage because almost all of the surrounding properties have back decks and stairs. Thus resulting in applicant's sufferance of a hardship due to improper light and ventilation.
8. The regulations require that this variance be granted only if it does not obscure light and ventilation from the subject property as well as adjacent property owners.
9. The applicant's property has a huge double-hung picture window and a rear door. If a rear deck is added the addition would obscure this light and ventilation, thus adding to the problem already existing from the surrounding rear decks.

10. The Capitol Hill Restoration Society testified in support of the applicant.

11. There was no opposition registered in this application.

CONCLUSIONS OF LAW AND OPINION:

The Board is of the opinion that to permit the applicant to add a rear deck would further effect the problem of adequate light and ventilation. The Board is further of the opinion that reasonable use of the property can be made without the variance and that the applicant has not established a hardship.

It is therefore the conclusion of the Board that the applicant will not suffer practical difficulty as a result of the subject application of the Zoning Regulations. It is therefore ORDERED that the above application be DENIED.

VOTE:

4-0 (Ruby R. McZier, Esq., Lilla Burt Cumming, Esq., William S. Harps, and William F. McIntosh, to deny, Leonard L. McCants, Esq. not voting)

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

ATTESTED BY:

  
ARTHUR B. HATTON  
Executive Secretary

FINAL DATE OF ORDER:

November 15, 1976