

Before the Board of Zoning Adjustment, D. C.

Application No. 12178 of Elinor Raven, pursuant to Sub-section 8207.11 of the Zoning Regulations, for a variance from the side yard requirements of Sub-sections 3305.1 and 7107.22 to permit a rear deck to be constructed for a dwelling which is a non-conforming structure in the R-1-B District at premises 3111 - 44th Street, N. W., Lot 813, Square 1625.

HEARING DATE: June 22, 1976

DECISION DATE: July 13, 1976

FINDINGS OF FACT:

1. The subject property is located in a R-1-B District and is a non-conforming structure.

2. There are stairs to the rear of the house in disrepair and a small deck porch off the back of the house.

3. The proposed rear deck would be approximately 22 and one-half feet by eight feet and would involve a rear extension of another four feet three inches to the present deck. The proposed deck will be of the same height as the existing deck.

4. There would be no extension into the side yard which is only four feet and a rear yard variance is not needed.

CONCLUSIONS OF LAW:

The Board concludes that the requested variance is an area variance, the granting of which requires the showing of a peculiar and exceptional difficulty and that the narrow width of the lot does create such a difficulty. The Board further concludes that such relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the zoning regulations and map.

Accordingly, it is ORDERED that the application be and hereby is GRANTED.

VOTE:

4-0 (Lilla Burt Cummings, Esq., Ruby B. McZier, Esq.,
William F. McIntosh and William S. Harps to grant;
Leonard L. McCants not voting)

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

ATTESTED By:



ARTHUR B. HATTON
Executive Director

FINAL DATE OF ORDER:

November 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.