

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12398 of Ollie Turman pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the lot occupancy requirements (Sub-sections 3303.1 and 7107.23) and rear yard requirements (Sub-sections 3304.1 and 7107.22) to permit a rear addition to a row dwelling which is a non-conforming structure in the R-3 District at premises 229 Bryant Street, N.E., Square 3557, Lot 94.

HEARING DATE: April 26, 1977

DECISION DATE: June 7, 1977

FINDINGS OF FACT:

1. The subject property is located in the R-3 Zone District at 229 Bryant Street, N.E.
2. The property is presently improved with a two story plus basement row dwelling.
3. The applicant proposes the construction of a recreational family type room at the rear of the existing structure.
4. In an R-3 District, the Regulations require a 20 foot rear yard. If the applicant is allowed the rear addition, only 10 feet will be provided. Thus a variance of 10 feet or 50% is required.
5. In an R-3 District the allowable lot occupancy is 60 per cent. The building presently covers the allowable 60 per cent. If the addition is built the building will exceed the lot occupancy by 19.75 per cent.
6. The only hardship or practical difficulty offered by the applicant was that a college son would be returning home and needed the recreational space.
7. There was no opposition to the granting of this application.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing Findings of Fact and the evidence of record the Board is of the opinion that the requested variances are area variances, the granting of which requires the showing of a practical difficulty. The Board concludes that the difficulty which the applicant alleges is not one associated with the property, and as such is not a practical difficulty as intended by the Zoning Act and the Zoning Regulations. It is therefore ORDERED that this application is hereby DENIED.

VOTE: 3-0 (William F. McIntosh, Charles R. Norris, Leonard L. McCants)

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

ATTESTED BY: _____

Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: _____

25 AUG 1977