GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 12443 of Arron Long pursuant to Paragraph 8207.11 of the Zoning Regulations for a variance from the rear yard requirements (Sub-sections 3304.1) to permit a rear addition in the R-2 District at the premises 4121 Alabama Avenue, S.E., (Square 5367, Lot 14)

HEARING DATE: June 28, 1977
DECISION DATE: July 12, 1977

FINDINGS OF FACT:

1. The subject property is located in an R-2 Zone District at 4121 Alabama Avenue, S.E.

2. The subject premises is a two story single family dwelling to which the applicant proposes the addition of a rear deck.

3. The applicant presently meets the 20 foot minimum rear yard depth required by Sub-section 3304.1 of the Zoning Regulations. With the construction of the proposed 12 foot rear deck, only an 8 foot rear yard will be provided.

4. The subject property presently has a parking pad in the rear yard of the premises and the proposed rear deck would be on the second floor only, covering the present parking pad, which the applicant proposes to leave open and continue to use.

5. The proposed deck will be 12 feet in width, and 9 feet in height, to be even with the existing second floor level of the present structure.

6. The dwelling, as presently constructed, has no rear entrance or exit. This addition would provide a stairway to the ground alongside the house and would provide the applicant this rear entrance or exit in case of a fire or similar emergency.

7. The applicant testified that an agreement had been reached by neighbors on both sides of the subject property, and there was no record of opposition from the adjacent property owners.

8. There was opposition from a nearby property owner on the grounds that this rear addition would diminish the area's property value.

CONCLUSION 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 variance is an area variance, the granting of which requires the showing of a practical difficulty. The Board concludes that the design of the house and the absence of a rear entrance or exit creates that difficulty. The Board concludes that the granting of this application would not have an adverse impact on adjoining or nearby property and would be consistent with the intent and purpose of the Zoning Regulations and Map. Accordingly, it is hereby ORDERED that this application be GRANTED.

VOTE: 5-0 (Ruby McZier, Esq., Charles Norris, William F. McIntosh Chloethiel W. Smith and Leonard L. McCants, Esq.)

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

ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 19 AUG 1977

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.