

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12462, of Terrence and Tamara Colvin, pursuant to Sub-section 8207.11 of the Zoning Regulations, for a variance from the side yard requirements (Sub-section 3305.1) to construct a rear addition to a dwelling which is a non-conforming structure. The property is in the R-1-B District at 6318 - 33rd Street, N.W., (Square 2005, Lot 16).

HEARING DATE: July 26, 1977

DECISION DATE: July 26, 1977 (Bench Decision)

FINDINGS OF FACT:

1. The applicant proposes to erect a two story rear addition to a single family detached dwelling.
2. A building permit was issued for the addition based on plans and a plat which showed that both the building and the addition had a side yard of six (6) feet.
3. A subsequent wall check made by the Surveyor determined that the side yard is only 4.54 feet wide. The addition would also have a side yard of 4.54 feet, while the normal requirement is eight (8) feet. A variance of 3.46 feet is thus required.
4. The north wall of the addition will be on the same line as the north wall of the existing dwelling.
5. The Municipal Planning Office, by report received July 15, 1977 and by testimony at the hearing, recommended approval of the application.
6. There ~~are~~ letters in the record from the abutting property owners stating that they have no objections.

CONCLUSIONS OF LAW AND OPINION:

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 location of the house on the lot, and the design of the proposed addition so as to conform to that existing house combine to create a practical difficulty on the applicant. The Board concludes that the granting of the variance would not have any adverse effect on neighboring properties, and that the granting of the variance would be within the intent and purposes of the Zoning Regulations. It is therefore, ORDERED that the application be GRANTED.

VOTE: 4-0 (Charles R. Norris, Chloethiel Woodard Smith, Walter B. Lewis and William F. McIntosh to GRANT).

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

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

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.

FINAL DATE OF ORDER: 2 AUG 1977