

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12519 of Andre F. and Ann J. Houston pursuant to Paragraph 8207.11 of the Zoning Regulations for a variance from the open court requirements (Sub-section 3306.1 and Paragraph 7107.22) to permit a two-story rear addition to a dwelling which is a non-conforming structure in the R-4 District at the premises 1316 Independence Avenue, S.E., Square 1037, Lot 94.

HEARING DATE: November 16, 1977

DECISION DATE: November 16, 1977 (Bench Decision)

FINDINGS OF FACT

1. The subject property is located in the R-4 District at 1316 Independence Avenue, S.E.

2. The subject site is presently improved with a two-story and basement structure.

3. The applicant proposes to eliminate the existing porch and add a two story rear addition to the existing structure approximately 10' long and 12' wide.

4. The proposed addition would serve as an enlargement of the kitchen on the first floor and the bedroom on the second floor.

5. The subject property is approximately 2,165 square feet with an existing rear yard 75 feet long and 16 feet wide.

6. The subject property is adjoined by row houses to the east and west. The adjoining residence to the immediate east has no rear porch and projects out approximately 10 feet. The rear portion of the residence to the west is on the same building line as the subject residence. The subject property is surrounded by two story row houses.

7. The applicant exceeds all requirements of the R-4 zone with respect to lot area, lot occupancy and rear yard. The only required variance is that of a two foot open court. An open court is required to be six feet and the applicant has four feet.

8. The applicant testified that without the granting of the requested variance, he would be forced to add an exceptionally narrow, long room.

9. The applicant proposes to enclose the open court by a seven foot high brick wall on the ground level for security purposes.

10. The Capitol Hill Restoration Society by report dated November 16, 1977, unanimously supported the application.

11. Advisory Neighborhood Commission 6B by report dated November 2, 1977, unanimously supported the application.

12. Letters on file from adjoining property owners also supported the requested variance.

13. The Municipal Planning Office by report dated November 9, 1977, recommended that the application be approved.

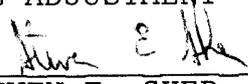
14. There was no opposition to the granting of this application.

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 variance is an area variance, the granting of which requires the showing of a practical difficulty. The Board concludes that such a difficulty exists, should the applicant be required to adhere strictly to the open court requirements of the Regulations. The Board further concludes that the requested variance will not adversely affect the present character or future development of the neighborhood. The Board concludes that there will no significant obstruction of light and air to the subject and surrounding residences by the granting of the requested two foot variance. It is therefore ORDERED that this application is hereby GRANTED as shown in option 3 of public hearing exhibit 23, dated November 16, 1977.

Vote: 5-0 (Chloethiel Woodard Smith, Charles R. Norris,
Leonard L. McCants, William F. McIntosh, and Ruby B.
McZier)

BY ORDER OF D.C. BOARD OF ZONING ADJUSTMENT



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: **7 DEC 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.