

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12618 of Alice M. Ricci, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the lot occupancy (Sub-section 3303.1 and Paragraph 7107.23) and rear yard (Sub-section 3304.1 and Paragraph 7107.22) requirements to permit a rear addition to a row dwelling which is a non-conforming structure in the R-4 District at the premises 250 - 10th Street, N. E., (Square 939, Lot 22).

HEARING DATE: March 22, 1978

DECISION DATE: April 5, 1978

FINDINGS OF FACT:

1. The subject property is located on the west side of 10th Street, between Constitution Avenue and "C" Street N. E. and is in an R-4 District.

2. The applicant's lot measures only twelve feet wide by fifty-five feet deep, an area of 660 square feet. Situated on the lot is a two-story frame row dwelling, built in approximately 1890, which is twelve feet wide and 24.25 feet deep. At the rear of this main structure is a one-story enclosed porch approximately nine feet wide and 6.5 feet deep. The house is set back from the front property line 5.61 feet; the existing rear yard is 18.64 feet deep. Behind the property is a three foot wide public alley abutted by a brick residence. South of the applicant's property are four properties practically identical to the applicant's. Abutting on the North is a two-story brick structure, occupying 100 per cent of the lot, which was formerly a grocery store but has been converted to a residence.

3. The applicant proposes to raze the existing rear porch and build a two-story rear addition which will create a substantially shallower rear yard and a structure that exceeds the allowed sixty per cent lot occupancy.

4. According to the proposed plans the applicant will need a lot occupancy variance of 58.32 square feet (14.72 per cent) and a rear yard variance of 12.36 feet (61.80 per cent).

5. The proposed addition would be constructed on a diagonal. At its widest point it would extend into the rear yard 13.14 feet and at its narrowest point 7.6 feet. Over the remaining open yard a deck will be constructed that will be two steps off the ground.

6. The subject house has no cellar nor attic. It has two bedrooms, one nine by nine feet and the other eight feet by eleven feet. There is virtually no storage space.

7. Because of illness in the family the applicant's parents will live with the applicant. They will use one of the bedrooms. The proposed addition will constitute storage space.

8. The Capitol Hill Restoration Society, Inc. was in favor of granting the rear yard variance but opposed to the lot occupancy variance. The Society considered the unusual setback of the house from the front property line by 5.61 feet which together with a 16.5 foot rear yard created more than twenty feet of yard on the property. As to the lot occupancy variance it suggested that the applicant could remain within the lot occupancy requirement by constructing an 8.7 foot deep and twelve feet wide addition. It further noted that neighbors contacted voiced no opposition.

9. A letter, in the record, from a neighbor voiced opposition if the planned addition reduced or eliminated his egress to the rear of his property via the public alley or walkway abutting the rear of both properties and if the design distracted from the present character of the neighborhood. The Board finds that the application will not create either situation described.

10. Advisory Neighborhood Commission-6A made no recommendation on the application.

CONCLUSIONS OF LAW:

The applicant seeks variances the granting of which must be supported by a showing of a practical difficulty arising from the property itself. The Board finds that because of the exceptional narrowness, shallowness and size of the subject property the practical difficulty is inherent in the property. The Board concludes that the variances can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the application is GRANTED.

VOTE:

5-0 (Walter B. Lewis, William F. McIntosh, Charles R. Norris  
Chloethiel Woodard Smith and Leonard L. McCants).

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

ATTESTED By:   
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 20 APR 1978

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.