

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12724 of McDonald Bullock, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the side yard requirements (Sub-section 3305.1 and Paragraph 7107.22) to permit an addition to a dwelling which is a non-conforming structure in the R-1-B District at the premises 2138 - 32nd Street, S.E., (Square 5655, Lot 100).

HEARING DATE: August 16, 1978

DECISION DATE: September 6, 1978

FINDINGS OF FACT:

1. The subject property is located on the east side of 32nd Street and is known as 2138 32nd Street, N.W. It is in an R-1-B District.

2. The subject lot is improved with a one-story single family dwelling.

3. The applicant proposes to cover over an existing concrete patio that measures twenty-six feet by twelve feet. The cover will not enclose the patio.

4. The cover will be eight feet wide and twenty six feet in length. It will be of treated wood to match the frame dwelling.

5. The construction will consist of a post sitting on metal cleats to support the slab. The roof will be attached to the side of the house. Against the house the cover will be ten feet high and out at the slope it will measure eight feet to provide water run-off.

6. The subject structure is non-conforming in that the side yard on the north side of the property measures five feet instead of eight feet as required by the Zoning Regulations for the R-1-B District. The south side yard measures eight feet.

7. The applicant seeks a variance of 3.67 feet on the south side yard of the property. The subject house is "L" shaped. At one position, at the bottom of the "L" is an existing eight foot side yard but back in the "L" it is twelve and one-third feet. In order to get a reasonable size patio cover, rather than take up four and one-third feet, the applicant would like to have eight feet thereby leaving four and one-third feet for the side yard.

8. Advisory Neighborhood Commission 7B, by letter of July 18, 1978 stated that it voted to support the variance. No reason was given.

9. The neighbor to the south of the subject property approved the granting of the variance.

10. There was no opposition to the application.

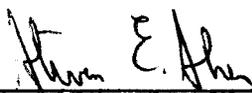
CONCLUSIONS OF LAW:

The application seeks an area variance the granting of which requires a showing of a practical difficulty stemming from the property. The Board concludes that the "L" shape of the property reflects such a practical difficulty. The Board further concludes that the variance 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: 4-0 (William F. McIntosh, Chloethiel Woodard Smith, Charles R. Norris and Leonard L. McCants, to grant)

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

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

FINAL DATE OF THIS ORDER: _____

5 OCT 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.