

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12752, of Charles C. Hansult, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances allowing an addition to a dwelling which now exceeds the percentage of lot occupancy (Paragraph 7107.21) and from the open court width requirements (Sub-section 3306.1 and Paragraph 7107.22) to permit a second story addition to a non-conforming structure in the R-4 District at the premises 1114 Park Street, N.E. (Square 987, Lot 11).

HEARING DATE: September 27, 1978

DECISION DATE: September 27, 1978 (Bench Decision)

FINDINGS OF FACT:

1. The subject site is located in the R-4 District on the northside of Park Street between 11th and 12th Streets, N.E. and is known as 1114 Park Street, N.E.
2. The subject property is topographically flat, with a narrow width of 14.25 feet and has a rectangular shape consisting of 1,425 square feet of land area.
3. The site is developed with a two-story frame row dwelling. There is also a garage to the rear of the lot which fronts on the alley.
4. The surrounding properties on both sides are row dwellings, as are the properties across the alley and across Park Street.
5. The subject premises was built in 1876 and is a non-conforming structure in residential use.
6. The structure is non-conforming because it exceeds the lot occupancy requirements and has an open court width less than that required under the Zoning Regulations.
7. The existing lot coverage of 940.50 square feet exceeds the permitted sixty per cent maximum by eighty-five square feet. The existing open court width of 4.25 feet is 1.75 less than the required six foot minimum.

8. The applicant proposes to construct a second story frame addition to the rear of a two story row dwelling in order to increase the applicant's living area.

9. The proposed second story addition will be built directly on top of an existing rear portion of the structure. The addition will be constructed of the same material as the existing structure.

10. The proposed addition will not increase the lot occupancy nor decrease the existing open court width.

11. The addition would not extend further toward the rear of the lot than either of the two adjoining houses.

12. A letter was submitted to the record from the abutting property owner to the east in favor of granting the application.

13. Advisory Neighborhood Commission 5B was notified of the application. No recommendation was received.

14. There was no opposition to the case.

CONCLUSIONS OF LAW AND OPINION:

The requested variances are area variances, the granting of which requires the showing of practical difficulty. The Board concludes that the small size and narrow width of the lot, with the location of the existing structure, creates the practical difficulty. The Board concludes that the proposed second story addition will not increase the structure's non-conformity by increasing lot occupancy or decreasing lot width.

The Board notes that the structure was constructed prior to 1958 and the adoption of the Zoning Regulations. The Board concludes that the rear addition is reasonable and necessary to increase the applicants livable space, which if denied would also constitute a practical difficulty for the applicant. The Board concludes that the above application can be granted without substantial detriment to the public good and without substantially impairing the intent purpose and integrity of the zone plan as embodied in the Zoning Regulations and Maps. Therefore it is hereby ORDERED that this application is hereby GRANTED.

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

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 30 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.