

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13013 of David Wilkinson, pursuant to Paragraph 8207.11 of the Zoning Regulations for variances from the prohibition against adding to a non-conforming structure which exceeds the allowable percentage of lot occupancy (Paragraph 7107.21), the lot occupancy requirements (Sub-section 3303.1 and Paragraph 7107.23) and the rear yard requirements (Sub-section 3304.1 and Paragraph 7107.22) for a proposed rear garage in an R-4 District at the premises 517 F Street, N.E., (Square 835, Lot 21).

HEARING DATE: August 15, 1979
DECISION DATE: September 5, 1979

FINDINGS OF FACT:

1. The subject property is located on the south side of F Street between 5th and 6th Streets, N.E., in an R-4 Zone District at premises known as 517 F Street, N.E.

2. The subject lot contains 864.90 square feet of lot area. The property is presently improved with a three story brick row dwelling.

3. The applicant proposes the construction of a garage at the rear of the premises. The property formerly had a garage extending the length of the rear yard. This garage was removed.

4. This house was constructed prior to the adoption of the Zoning Regulations, and does not meet the requirements of the present regulation regarding lot area, lot width, lot occupancy or rear yard.

5. The existing building occupies 525 square feet. The proposed garage will occupy 300 square feet, for a total proposed lot occupancy of 825 square feet. The maximum building area permitted is 518.44 square feet. The applicant thus requires a variance from the lot occupancy requirement of 306.06 square feet.

6. The existing building has a rear yard of 22.66 feet, in excess of the twenty feet required in the R-4 District. With the proposed garage, there will be a rear yard of only 2.66 feet. A variance of 17.34 feet is thus required.

7. The property is surrounded by single family row dwellings that currently have garages covering the entire rear yard.

8. The Board received no report from Advisory Neighborhood Commission 6A prior to its public hearing of this application on August 15, 1979. A written report was received on August 23, 1979, stating that the ANC had no reason to oppose the requested variance. The Board accepted the written comments of the Advisory Neighborhood Commission at the public meeting held on September 5, 1979.

9. 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 concludes that the requested variances are area variances, the granting of which requires the showing of some exceptional or extraordinary situation of the property which causes a practical difficulty upon the owner. The Board concludes that the substandard area of the lot of approximately 865 square feet when combined with the location of the existing structure creates such a difficulty. The Board further concludes that the requested relief 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 Map. Accordingly, it is hereby ORDERED that this application is APPROVED.

VOTE: 5-0 (Ruby B. McZier, 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 ORDER: _____

5 NOV 1979

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.