

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13183, of Donald J. Capuano, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the side yard requirements (Sub-section 3305.1 and Paragraph 7107.21) for a proposed addition to a single family detached dwelling which is a non-conforming structure in an R-1-B District at the premises 3246 Arcadia Place, N.W. (Square 2353, Lot 88).

HEARING DATE: March 12, 1980
DECISION DATE: March 12, 1980 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the south side of Arcadia Place between Western Avenue and Barnaby Street, N.W. It is known as 3246 Arcadia Place, N.W., and is in an R-1-B District.

2. The subject area is devoted exclusively to single family detached dwellings. Such dwellings are located adjacent to the subject property and to the rear of it.

3. The subject site is approximately 8,276 square feet in area and is improved with a three story brick five-bedroom single family dwelling.

4. The subject site is irregular in shape. The lot has a frontage of ninety-five feet on Arcadia Place and narrows to a point at the rear creating a triangular configuration. There is no alley adjoining any portion of this lot.

5. The applicant proposes to construct an addition to the rear of the subject property to allow for an enlarged modern kitchen. The proposed addition will add less than seventy square feet to the existing dwelling.

6. The proposed kitchen will extend seven feet into the rear yard. Since the east side property line is at an angle to the house, one edge of the addition will be approximately 5.6 feet from the east side property line.

7. The Zoning Regulations require an eight foot side yard. The applicant seeks a variance of 2.6 feet.

8. The rear of the closest adjacent property which is to the east is approximately forty feet from the subject dwelling at its closest point. These two dwellings are offset from one another, which minimizes the visual impact. The closest dwelling to the rear of the subject property is greater than 100 feet away.

9. The applicant testified that he contacted all his neighbors within 200 feet of his property by letter with a sketch of the proposed addition attached.

10. Office of Planning and Development by report dated February 13, 1980, recommended that the application be granted. It reported that upon considering the peculiar shape of this property, the location of the existing kitchen, and the relationship of the subject dwelling to adjoining and nearby dwellings, the Office of Planning and Development believed that the granting of this variance would not cause any adverse impacts on neighboring properties and would be consistent with the intent and purposes of the Zoning Regulations. The Board so finds.

11. Advisory Neighborhood Commission - 3G by letter dated March 6, 1980, stated that it had no objection to the granting of the variance.

12. There was no objection to the application either at the public hearing or of record.

CONCLUSIONS OF LAW:

Based on the record, the Board concludes that the applicant is seeking an area variance, the granting of which requires a showing of a practical difficulty upon the owner of the property that arises from the property itself. The Board concludes that the irregular shape of the lot creates and constitutes such a practical difficulty. The Board further concludes that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zoning Regulations. Accordingly, it is ORDERED that the application is GRANTED.

VOTE:4-0 (Theodore F. Mariani, Charles R. Norris, Connie Fortune and Leonard L. McCants to GRANT; William F. McIntosh not present, not voting).

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

