

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13285 of Mr. and Mrs. C. P. Mitchell, 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) for a proposed two story addition to a single family semi-detached dwelling which is a non-conforming structure in an R-1-B District at the premises 3105 Hawthorne Street, N.W., (Square 2117, Lot 54).

HEARING DATE: July 16, 1980

DECISION DATE: July 16, 1980 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the north side of Hawthorne Street between 31st and 32nd Streets, N.W., and is known as 3105 Hawthorne Street, N.W. It is in an R-1-B District.

2. The subject site is 42.25 feet wide and 97.75 feet deep. It is improved with a two-story and basement semi-detached single family dwelling which was constructed about 1920. The subject premises and the dwelling to which it is attached are the only semi-detached houses on the subject street.

3. The applicant proposes to construct an addition of two stories at the rear of the structure along the common property line dividing the two halves of the semi-detached dwelling. The addition will be 12.83 feet by 14.17. The proposed addition will enlarge the eating area of the present kitchen and extend the bedroom above the kitchen.

4. The applicant has a side yard to the west that measures 14.15 feet. With the addition the rear yard will measure 27.08 feet. The rear yards of the surrounding detached dwellings are of comparable depth.

5. The proposed addition will be extended to the depth of an existing first floor rear deck.

6. There were letters, of record, from the owner of the semi-detached dwelling to the east of the subject property and from the owner of the detached dwelling to the west, in favor of the application.

A handwritten signature, possibly in ink, consisting of a stylized, cursive mark that resembles a large 'S' or a similar character.

7. There was no opposition to the application.
8. Advisory Neighborhood Commission 3C by letter of July 9, 1980, stated that the ANC had decided to not oppose the application.

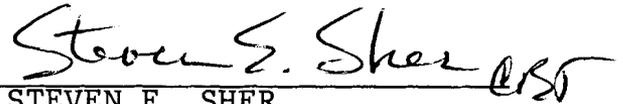
CONCLUSIONS OF LAW:

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 inherent in the property itself. The structure is a semi-detached dwelling built about 1920. It is non-conforming since it is a semi-detached dwelling in an R-1-B District which under the current Zoning Regulations permits only detached dwellings. The proposed addition is an addition that will extend into the rear yard and not the sole side yard. The Board concludes that the practical difficulty is inherent in the property. 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 zone plan. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 5-0 (Charles R. Norris, Walter B. Lewis, Connie Fortune
William F. McIntosh 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: _____

25 AUG 1980

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.