

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13375, of John M. Harris, 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 construct an addition to a single family row dwelling which is a non-conforming structure in an R-2 District at the premises 1832 T Street, S.E., (Square 5617, Lot 61).

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

FINDINGS OF FACT:

1. The subject property is located in an R-2 District on the north side of T Street between 18th and 22nd Streets, S.E.
2. The subject lot is eighteen feet wide and slightly over 100 feet deep. The lot is improved with a two story plus basement brick row dwelling.
3. The applicant proposes to construct an addition to the rear of the dwelling. The addition would be for the full width of the existing dwelling, and would extend ten feet to the rear. The addition would be one story in height, located at the level of the first floor, which would be one story out of grade at the rear of the house. There would be steps leading down to the level of the rear yard.
4. The addition would be used as a family room or additional bedroom for the house.
5. The Zoning Regulations require a dwelling to have at least one eight foot side yard in an R-2 District. The existing building, constructed prior to the adoption of the present Zoning Regulations, has no side yards. The addition is proposed to follow the line of the existing house, and would also have no side yards. A variance of eight feet is thus required.

6. If the applicant were required to meet the side yard requirement, he would be able to build an addition which would be only ten feet wide.

7. The subject property is adjoined by a similar dwelling on either side. The three dwellings together form a community house as defined in the Zoning Regulations. The two end units could accommodate the same addition as proposed for the subject site without requiring any variances, because the end units are on wider lots and have side yards.

8. There was no report from Advisory Neighborhood Commission - 6C.

9. There was no opposition to the application.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the requested variance is an area variance, the granting of which requires the showing of an exceptional or extraordinary condition of the property which creates a practical difficulty for the owner. The Board concludes that the narrow width of the subject site is such an exceptional situation and that strict application of the Regulations would create a practical difficulty for the owner. The Board 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 Maps. It is therefore ORDERED that the application is GRANTED.

VOTE: 5-0 (Walter B. Lewis, Charles R. Norris, Connie Fortune, William F. McIntosh and Douglas J. Patton to GRANT).

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

ATTESTED BY:

  
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STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 12 JAN 1981

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."

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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.