

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13386 of Gladys and Lester Coffey, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the prohibition against allowing an addition to a non-conforming structure which now exceeds the allowable lot occupancy requirements (Paragraph 7107.21), the lot occupancy requirements (Sub-section 3303.1 and Paragraph 7107.23), the side yard requirements (Sub-section 3305.1 and Paragraph 7107.22) and the rear yard requirements (Sub-section 3304.1 and Paragraph 7107.22) for a proposed rear addition to a row dwelling which is a non-conforming structure in an R-2 District at the premises 1645 Fort Davis Street, S.E., (Square 5518, Lot 5).

HEARING DATE: November 19, 1980  
DECISION DATE: January 7, 1981

FINDINGS OF FACT:

1. The subject site is located on the west side of Fort Davis Street between Q and R Streets and is known as premises 1645 Fort Davis Street, S.E. It is in an R-2 District.

2. The subject site is sixteen feet wide by eighty feet deep. It is improved with a two story plus basement brick row dwelling. A sixteen foot wide public alley is located to the rear of the property. The property has no on-site parking facilities.

3. The structure is non-conforming for the R-2 District requirements in its lot area and width requirements. It also has no side yard. It is a row dwelling constructed prior to the current Zoning Regulations.

4. The applicant proposes to construct a one story rear addition. The addition will be used as a bedroom for her invalid mother. The applicant also suffers a disability. The proposed addition would eliminate the applicant's having to climb stairs to take care of her mother.

5. The proposed addition will measure ten feet by sixteen feet. A seventeen foot rear yard will still be provided. The applicant seeks a variance of three feet from the rear yard requirements of the Zoning Regulations. The proposed addition will increase the lot occupancy by 256 square feet. A variance is also sought for this increase.

6. The adjoining premises 1643 Fort Davis Street extends eleven feet into the rear yard. The premises at 1647 has no rear extension. Both of these adjoining premises to the subject property are semi-detached dwellings.

7. The owners of both of the adjoining properties submitted letters to the record that they had no objections to the applicant's proposal.

8. There was no opposition to the application either on file or at the public hearing.

9. Advisory Neighborhood Commission 7B made no recommendation on the application.

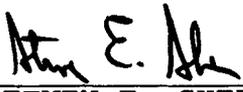
CONCLUSIONS OF LAW AND OPINION:

Based on the record the Board concludes that the applicant is seeking area variances the granting of which requires proof of a practical difficulty that is inherent in the property. The Board concludes that the practical difficulty exists. The structure is a row dwelling built prior to May 12, 1958, the effective date of the current Zoning Regulations. A row dwelling is not permitted in an R-2 District but the subject structure is subject to the Zoning Regulations now in effect and imposed upon the site after its construction. The Board notes the lack of objections to the application and the approval of the adjoining property owners. The Board further concludes that the application 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 (Douglas J. Patton, Charles R. Norris, Theodore F. Mariani, William F. McIntosh and Connie Fortune 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 MAR 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 SUPPLEMENTA 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.