

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13599, of Melvin and Eva Cole, 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 rear addition to a dwelling which is a non-conforming structure in an R-1-B District at the premises 2220 R Street, N. E., (Square 4409, Lot 127).

HEARING DATE: November 10, 1981
DECISION DATE: December 2, 1981

FINDINGS OF FACT:

1. The subject property is located in an R-1-B District on the north side of R Street between 22nd and 24th Streets, N. E.

2. The subject lot is rectangular in shape, having a width of forty-two feet, a depth of ninety feet and an area of 3,780 square feet. There is a fifteen foot wide public alley at the rear.

3. The property is improved with a detached single family dwelling constructed primarily of brick. The house was built in 1937. There is an existing frame garage in the center of the rear yard.

4. The existing house is thirty-two feet wide and approximately thirty-three feet deep.

5. When the subdivision of which this lot is a part was originally laid out, all of the houses were proposed to have a five foot side yard on each side. When the houses were actually constructed, the houses were not centered on the lot. There is therefore an existing 6.75 foot side yard on the west side and an existing 3.25 foot side yard on the east side.

6. The applicant proposes to construct a one-story frame addition at the rear of the dwelling. The addition would follow the line of the existing east wall of the dwelling and would thus have a side yard of only 3.25 feet. Since the Regulations require an eight foot side yard, a variance of 4.75 feet is required.

7. The addition would be sixteen feet wide and extend twelve feet to the rear. It would contain a powder room, a closet and a sitting room adjacent to the master bedroom. The addition would be finished in white aluminum siding to match the color of the existing building.

8. The addition must be located adjacent to the master bedroom which it will functionally serve. The addition cannot be extended further to the west because it would block light and ventilation to an existing kitchen window. The addition cannot be set back eight feet from the lot line because it would then be too small to be useful.

9. There was no report from Advisory Neighborhood Commission 5-B in the record of the application.

10. The owners of the immediately abutting properties at 2216 and 2224 R Street, as well as the owner of 2212 R Street all submitted letters to the file stating no objection to the application.

11. There was no opposition to the application.

CCONCLUSIONS 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 size of the lot, the location of the existing dwelling on the lot and the layout and configuration of the existing dwelling combines to create an exceptional condition and practical difficulty for the owners in constructing a reasonably sized addition. 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: 3-0 (Walter B. Lewis, Charles R. Norris and Connie Fortune to GRANT, William F. McIntosh and Douglas J. Patton not voting, not having heard the case)

