

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14366 of Ralph and Pierette Logan, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the rear yard requirements (Sub-section 3304.1) to construct a rear addition to a single family detached dwelling in an R-1-B District at premises 6211 Broad Branch Road, N.W., (Square 2007, Lot 13).

HEARING DATE: December 11, 1985

DECISION DATE: December 11, 1985

FINDINGS OF FACT:

1. The subject site, known as premises 6211 Broad Branch Road N.W., is located at the southeast corner of the intersection of Western Avenue and Broad Branch Road. It is in an R-1-B District.

2. The subject site is a quadrilateral with a frontage of 41.27 feet along Broad Branch Road and a frontage of 76.10 feet along Western Avenue.

3. The subject site is improved with a single-family detached structure built circa 1922. On May 12, 1958, the effective date of the current Zoning Regulations, the subject site became nonconforming.

4. The R-1-B District extends in all directions from the subject site south of Western Avenue. The area north of Western Avenue is located in the state of Maryland. The neighborhood is developed with single family detached dwellings.

5. Pursuant to Paragraph 8207.11 of the Zoning Regulations the applicants are seeking a variance from the rear yard requirements (Sub-section 3304.1.) to construct an addition connecting the subject structure to an existing garage located to its rear.

6. Paragraph 8207.11 empowers the Board to grant an area variance where by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any

regulation adopted under this Act would result in peculiar and exception practical difficulties to the owner of such property provided such relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the plan as embodied in the zoning regulations and map.

7. Sub-section 3304.1 requires that a rear yard in the R-1-B District have a minimum depth of 25 feet.

8. The subject structure is a small, approximately 36 feet by 29.6 feet, wood frame building containing two bedrooms, a living room, kitchen, and half basement.

9. A detached garage, measuring 9.4 feet by 16.3 feet, is located 14 feet from the rear of the subject structure. The northern walls, those facing Western Avenue, of the house and the garage are aligned.

10. The applicants propose constructing a 14 foot wide by 14.5 foot deep breezeway connecting the main structure to the garage.

11. The addition will provide space for a dining/family room and storage.

12. There is not now a suitable area for dining in the subject structure as the kitchen is narrow and can only accommodate a small table.

13. Since one of the bedrooms is used as a nursery for the applicants' child and the living room is small, approximately 15 feet by 20 feet, there is not adequate storage space in the subject house.

14. The buildable space on the subject lot is severely restricted. Enlarging the subject structure by adding another story would be prohibitively expensive and would not be consistent with the style of the house.

15. The location of the addition between the two existing structures preserves the open space southeast of the structures to function as a yard and forms an attractive, unified structure out of two smaller units.

16. The dining room addition connects to the existing kitchen and provides a logical circulation pattern within the house.

17. Other houses in the immediate neighborhood of the subject structure are generally twice as large or larger than the subject structure.

18. Advisory Neighborhood Commission (ANC) 3G reported that it voted unanimously to endorse the subject application. The ANC was of the opinion that this addition is not only needed to meet the needs of the Logan family but will also add to overall neighborhood appearance. This addition (or connection) will not give the appearance of too much structure on a lot as the existing house, garage, and proposed addition are or will be adequately set back from Western Avenue; and as there is plenty of yard behind the resulting structure which will be kept open. On the north the Logan's property abuts a house at 6207 Broad Branch Road and on the east a house at 6209 Western Avenue. The house at 6207 Broad Branch Road will not be affected by the proposed addition, as this house is more or less "around the corner" from the proposed addition. The house at 6209 is closer to the addition but should not be adversely affected for two basic reasons. First, the house at 6209 Western Avenue is somewhat elevated and it actually fronts just as much, if not more so, onto Stuyvesant Place as onto Western Avenue. As such, the proposed addition does not really affect the structure at 6209 Western Avenue. Second, even if the structure at 6209 Western Avenue were not elevated, the ANC did not believe that the proposed addition at 6211 Broad Branch Road would be intrusive. The Board concurs with the reasoning and recommendation of the ANC.

20. There was no opposition at the public hearing or of record to the subject application.

CONCLUSION OF LAW AND OPINION:

Based on the record, the Board concludes that the applicants are seeking an area variance the granting of which requires a showing through substantial evidence of a practical difficulty upon the owner arising out of some unique or exceptional condition of the property such as exceptional narrowness, shallowness, shape or topographical conditions. The Board further must find that the application will not be of substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan. The Board concludes that the applicants have met their burden of proof. The practical difficulty is inherent in the land because of its physical conditions as to shape and size. The location of the addition between the two existing structures is the most aesthetically logical and most reasonable to accommodate interior circulation. The proposed addition will unify the two small existing structures on the site and create a unified building which is more to the same scale with structures on neighboring lots. The Board notes the lack of opposition to the application and further concludes that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan. The Board concludes

that it has accorded to the ANC the "great weight" to which it is entitled by statute. Accordingly it is ORDERED that the application is GRANTED.

VOTE: 4-0 (Charles R. Norris, Maybelle T. Bennett, William F. McIntosh, Carrie L. Thornhill to grant; Douglas J. Patton not present, not voting).

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

ATTESTED BY: *Cecil B. Tucker by B. Jones*
CECIL B. TUCKER
Acting Executive Director

FINAL DATE OF ORDER: 08 APR 1995

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 CONSUMER AND REGULATORY AFFAIRS.

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