

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14414 of Clarence W. and Lois M. Watkins, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the side yard requirements (Sub-section 3305.1) to enlarge an existing side porch in an R-1-B District at premises 1212 Chaplin Street, S.E., (Square 5382, Lot 818).

HEARING DATE: April 16, 1986  
DECISION DATE: April 16, 1986 (Bench Decision)

FINDINGS OF FACT:

1. The site, known as premises 1212 Chaplin Street, S.E., is located on the north side of Chaplin Street between Ridge and Hillside Roads. It is in an R-1-B District.
2. The site is rectangular in shape with a frontage of 50 feet along Chaplin Street and a depth of 100 feet. A 15 foot wide public alley is located to the rear of the property.
3. The property is improved with a single family detached dwelling, built May 15, 1958.
4. The R-1-B District extends in all directions from the subject site and is developed with single-family detached dwellings.
5. The applicants are seeking a variance from the side yard requirements to enlarge and enclose an existing side porch.
6. Sub-section 3305.1 of the Zoning Regulations requires a side yard of eight feet in the R-1-B District. The proposed addition will provide a side yard of 5.3 feet requiring a variance of 2.7 feet or 33.8 percent.
7. The proposed side porch enclosure will measure 20 feet two inches by nine feet two inches encompassing the existing porch as extended.
8. The proposed addition will extend out to the point where the existing porch eave overhangs.
9. The applicants have owned and dwelled in the house since 1959.

10. There is no room for relaxed seating in this house other than the living room. This enclosed porch would create a space which could be used for informal activities most of the year.

11. The addition can not be added to the rear of the structure to conform with zoning setback requirements as the resulting interior circulation pattern would not be functional. The porch is now located adjacent to the dining room and kitchen. If the porch were located to the rear of the structure it would be accessed from the bedrooms. There is no door at the rear of the structure.

12. Neighbors of the site, including the one adjacent to the side where the porch is located, submitted letters to the record stating that they had no objections to the proposed enlargement of the porch.

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

CONCLUSIONS OF LAW AND OPINION:

Based on the record, the Board concludes that the applicants are seeking an area variance, the granting of which required a showing through substantial evidence of a practical or exceptional 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 the burden of proof. The practical difficulty results from the fact that although there is adequate room to the rear of the structure to locate an addition meeting zoning setback requirements, it is not a practical location for the addition. The bedrooms are located to the rear of the structure and there is no door in the rear. The porch is in existence and is adjacent to the dining room providing logical circulation within the house. The Board notes that the enlargement will not extend further into the side yard than the porch eave now does. The enlargement will line up with the existing overhang. The enclosure will add a year round room.

The Board further concludes that granting the proposed relief will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan. Accordingly, it is ORDERED that the application is GRANTED SUBJECT to the CONDITION that

construction shall be in accordance with the plans marked as Exhibit No. 6 of the record.

VOTE: 5-0 (Charles R. Norris, Maybelle T. Bennett, William F. McIntosh, Paula L. Jewell, and Carrie L. Thornhill to grant).

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

ATTESTED BY:

  
EDWARD L. CURRY  
Acting Executive Director

FINAL DATE OF ORDER: JUL 16 1986

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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