

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14428 of Prakrit Laohaphan, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the side yard requirements, Sub-section 3305.1, to construct an addition to a detached dwelling in an R-1-B District at premises 5511 Broad Branch Road, Northwest, Square 2014, Lot 22.

HEARING DATE: June 11, 1986

DECISION DATE: June 11, 1986 (Bench Decision)

FINDINGS OF FACT:

1. The site is located on the east side of Broad Branch Road, N.W., between Morrison and McKinley Streets. The site is in an R-1-B District and is known as 5511 Broad Branch Road, N.W.

2. The lot is 40.00 feet wide. The front line is parallel to the street with the side lot boundaries extending to the rear alley at 90 degrees to the front (west) lot line. Length of the north side lot line is 120.06 feet and of the south side lot line is 106.02 feet. The length of the skewed rear lot line parallel to the alley is 42.33 feet. The lot area is 4525.2 square feet.

3. The site is improved with a detached single family dwelling. The dwelling is a two story brick structure 24.0 feet wide by 33.00 feet long with an existing one story wood frame addition at the front measuring 8 feet deep by 15 feet 5 inches wide.

4. The dwelling is located within an R-1-B District. The Zoning Regulations require that a dwelling in an R-1-B District have a minimum lot area of 5000 square feet, a lot width of 50 feet and a side yard of 8 feet on each side. The existing site has a lot area of 4525.2 square feet and a 40 foot lot width. The side yards meet the regulation.

5. The house predates May 12, 1958, the effective date of the current Zoning Regulations. At that time the site became non-complying as to lot area and width. The house is an extremely small house on a narrow lot. Across the front of the house there is a single-story extension that goes about two-thirds of the width, which causes the main entrance to be set back eight feet. The projection of

this single-story addition is about eight feet from the main house proper. The front entrance opens directly into a very small living room. There is no place to privately greet guests and no closet space. Looking at the house from the street the addition gives the illusion that the entrance is a side yard entrance instead of the main entrance. In the applicant's view the continuation of this single-story addition across the front of the dwelling, with the proper location of the entrance in that wall, would do much to increase the appearance of the house in the neighborhood.

6. The addition would provide a foyer for guests to come into before actually entering the living room as well as provide closet space for their clothing.

7. The applicant seeks a variance from the side yard requirements in order to construct an addition to the front of the subject structure which would reduce the side yard clearance from 8 feet to 5 feet for a length of 11 feet parallel to the north side lot line. The new addition would provide an increase to the subject structure of 125.32 square feet providing a much needed entry foyer and closet area. In addition it would place the main entrance at its proper location at the front of the house. It would also accomplish an architecturally pleasing continuity to the front elevation of the house.

8. By letter dated May 20, 1986, Advisory Neighborhood (ANC) 3G reported that at an executive meeting, not a public meeting, ANC 3G voted not to oppose the application unless there was neighborhood opposition. As of the date of their letter, they knew of no such opposition.

9. There was opposition to the application of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the record the Board concluded that the applicant is seeking an area variance pursuant to Paragraph 8207.11 of the Zoning Regulations, from the side yard requirements to construct an addition to a detached dwelling.

Under Paragraph 8207.11 the Board has the power to grant an area variance if the strict application of any regulation would result in practical difficulties to the owner, provided that such relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan.

The Board concluded that the practical difficulty to the owner is inherent in the non-conforming site. The applicant does not meet the required lot width for this

District. The Board concluded that the front of the dwelling is the only functional place for this addition. In the Board's opinion the addition would make the dwelling more aesthetically pleasing and more conforming to other houses in the area. The Board further concluded that the granting of 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. The dwelling is detached, thus the addition will not adversely affect the light or air of the neighboring property. The Board notes the lack of opposition to the proposal. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 5-0 (Carrie L. Thornhill, Patricia N. Mathews, Charles R. Norris, William F. McIntosh and Paula L. Jewell to grant).

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

ATTESTED BY:



EDWARD L. CURRY
Acting Executive Director

FINAL DATE OF ORDER: _____

AUG 15 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.