

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14642, of Milton M. Carrow, pursuant to Section 3107.2 of the Zoning Regulations for variances from the lot occupancy requirements (Section 403.2) and the rear yard requirements (Section 404.1) for a proposed rear addition to a single family dwelling in the R-5-B District at premises 914 - 25th Street, N.W., Washington, D.C. (Square 16, Lot 861).

HEARING DATE: July 22, 1987

DECISION DATE: September 2, 1987

PROPOSED FINDINGS OF FACT:

1. The site known as premises 914 - 25th Street, N.W. is located on the west side of 25th Street between K Street and I Street. It is in an R-5-B District.

2. The site is rectangular in shape with a frontage of 12.44 feet along 25th Street, a depth of 54.50 feet, and an area of 678 square feet. A four foot wide alley is located to the rear of the site. The site is improved with a two story plus basement row dwelling built in approximately 1900; its dimensions are 12.44 feet wide and 28.1 feet deep with a lot coverage of 349.56 square feet.

3. The R-5-B District extends in all directions from the site. Adjacent properties are developed with single-family row dwellings. At 924 - 25th Street, past four row dwellings north of the site is a hotel, the River Inn. Adjacent to that on the north are apartment buildings for the rest of the block. There is also an apartment building across the street from the River Inn.

4. Pursuant to Section 3107.2 of the Zoning regulations, the applicant is seeking variances from the lot occupancy requirements (Section 403.2) and the rear yard requirements (Section 404.1) to construct a rear addition to the structure.

5. The proposed addition will consist of two stories and basement, including relocation of the kitchen, enlarging the living room, changing the existing rear bedroom to a bath and closet area, and building a bedroom on the second floor of the addition. The house will continue to be a two bedroom house.

6. The addition is proposed to be 14 feet in depth and 12.44 feet wide. The proposed basement area of the addition is presently partially excavated and walled. Steps lead to an entrance to the existing basement. The structure will provide a rear yard of 11 feet 9 inches. Most dwellings to the west, north and south have rear yards of similar size.

7. The front yard of the site, from the building to the sidewalk is 17 feet deep. As is the case for the other properties on the block, this area is not part of the land deeded to the owners and is not included in determining lot occupancy requirements.

8. The dwellings immediately adjacent on the south of the subject structure have rear additions that encroach upon the required rear yards for approximately the same depth as the proposed addition. On the north, four of the five row houses adjacent to the subject structure have additions located to the rear that are the same depth as that of the proposed addition. Next to those, the River Inn covers the entire area, leaving no rear yard.

9. Advisory Neighborhood Commission 2A submitted no report on the application.

10. The neighbor residing at 914 $\frac{1}{2}$  25th Street, a duplicate structure adjacent to the subject structure testified in opposition to the application on the grounds that:

a. the proposed addition would endanger the existing structures.

b. the addition would affect the property value of 914 $\frac{1}{2}$  25th Street

c. the addition would block light from reaching the neighbors house

d. the addition would affect the historical nature of the two structures.

The Board does not concur. The Board finds that all construction will be done in accordance with District of Columbia Building code requirements to ensure safe construction. The Board further finds that no probative evidence was offered to demonstrate that the addition would decrease the property value of the adjacent structure or block light from reaching it.

The applicant testified that the proposed addition will have to be reviewed by the Landmarks Commission to determine its affect on the historic nature of the neighborhood.

PROPOSED CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the applicant is seeking an area variance the granting of which requires a showing through substantial evidence of a practical difficulty upon the owner arising out some unique or exceptional condition of the property such as exceptional narrowness, shallowness, shape or topographical conditions. The Board further must find that the relief requested can be granted without substantial detriment to the public good and that it will not substantially impair the intent of the zone plan. The applicant is seeking variances from Section 403.2 which allows a lot occupancy of not more than 406.8 square feet and from Section 404.1 which requires a rear yard set back of 15 feet. The proposed addition will provide a lot occupancy of 523.72 square feet and a rear yard with a depth of 11 feet 9 inches, necessitating a lot occupancy variance of 116.92 square feet and a rear yard variance of 3 feet 3 inches.

The Board concludes that the applicant has met the burden of proof. The 12.44 foot width and the 54.50 foot depth of the site, with an area of only 678 square feet, create a practical difficulty for the owner. The 60 percent lot occupancy requirement for this exceptionally small site limits a structure to only 406.8 square feet. Such an area is inadequate for a residence in the community, and places an unwarranted burden on the applicant. The exceptional narrowness and shallowness of the property warrant the construction of the proposed addition. The proposed addition, moreover, will simply conform to the typical building size and rear yard areas of practically all of the neighboring structures in the community.

The Board concludes that the proposed addition is so located and of such a size that there will be no adverse impact on adjoining properties. The Board further 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 Map. It is therefore ORDERED that the application is GRANTED upon the CONDITION that construction shall be in accordance with the plans marked as Exhibit No. 5 of the record.

VOTE: 5-0 (William F. McIntosh, Charles R. Norris, Paula L. Jewell and Carrie L. Thornhill to grant; John Parsons to grant by proxy)

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

ATTESTED BY:

  
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EDWARD L. CURRY  
Executive Director

FINAL DATE OF ORDER: DEC 2 1987

UNDER 11 DCMR 3103.1, "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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