

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14862, of Stafford, Marcia and Yetta Appel, pursuant to 11 DCMR 3107.2 for a variance from the side yard requirement (Sub-section 405.9), and a variance to allow enlargements or additions to a nonconforming structure provided the addition or enlargement does not increase or extend an existing nonconforming aspect of the structure, side yard [Paragraph 2001.3(c)], to allow a proposed addition to a nonconforming single-family structure in an R-1-B District at premises 1355 Jonquil Street, N.W., (Square W2773, Lot 43).

HEARING DATE: September 28, 1988
DECISION DATE: September 28, 1988 (Bench Decision)

SUMMARY ORDER

The Board duly provided timely notice of the public hearing on this application, by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission ("ANC") 4A and to owners of property within 200 feet of the site.

The site of the application is located in ANC 4A. ANC 4A, which is automatically a party to the application, did not take any action on the application prior to the public hearing.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a variance from the strict application of the requirements of 11 DCMR 405.9 and 2001.3(c). No person or entity appeared at the public hearing in opposition to the application or otherwise requested to participate as a party in opposition to this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3107, and 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