

PUBLIC HEARING--Sept. 23, 1964

Appeal #7901 Lowell and Rose Mason, appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Mr. Clouser dissenting the following Order was entered on October 7, 1964:

ORDERED:

That the appeal for a variance from the side yard requirements of the R-1-B District to permit one-story side addn. to dwelling at 5117 Chevy Chase Parkway, N.W., lot 10, square 1879, be granted.

From the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lot has a frontage of 55 feet on Chevy Chase Parkway and a depth of 154.29 feet to a twenty-foot wide public alley in the rear. The lot contains an area of 8485.95 square feet of land. The property is improved with a two story dwelling.

(2) Appellant proposes to enclose the existing side porch and erecting an addition which will be a fifteen foot extension of the existing porch which will be utilized as a sitting and reading room.

(3) The proposed addition together with the existing porch violate the zoning regulations for side yard which were enacted in 1958. However, the existing yards meet the requirements of the side yard regulations prior to 1958.

(4) There was no objection to the granting of this appeal registered at the public hearing. The adjoining property owner to the south, nearest the proposed addition, have written a letter stating they have no objection.

OPINION:

We are of the opinion that appellant has proven a hardship within the meaning of the variance clause of the regulations, as this addition could have been erected as a matter-of-right prior to 1958, and further, the addition as proposed will not affect adversely conditions of light and air to the adjoining property as the addition extends on line with the rear of the abutting property.

In view of the above it is our opinion that this 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.