

PUBLIC HEARING--February 17, 1965

Appeal #8065 Edward and Evelyn F. Aikman, 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 February 17, 1965:

ORDERED:

That the appeal for a variance from the side yard requirements of the R-1-B District to permit erection of one and two story additions to the rear of the dwelling at 4945 Brandywine Street, N.W., lots 20 and 21, square 1488, be granted.

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

(1) Appellant's lots have a frontage of 40 feet on Brandywine Street and depths of 119.15 and 163.2 feet. The lots contain an area of 5541.9 square feet of land which is improved with a detached dwelling with a four foot side yard on the west side and 11.67 feet on the east side of the lots.

(2) Appellant proposes to erect his addition in line with the existing house. The additions will provide a family room, powder room and a dinette on the first floor and a master bedroom and bath on the second floor.

(3) The erections of these additions will not over occupy the lot area nor over occupy the rear yard.

(4) There was no objection to the granting of this appeal registered at the public hearing.

OPINION:

We are of the opinion that appellant has proven a hardship within the meaning of Section 8207.11 of the Zoning Regulations and that a denial of this appeal will result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner. We are further of the 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.

We are further of the opinion that the addition is so located as not to affect adversely conditions of light and air to adjoining property.

The Board in this instance did not require the setting in to provide a minimum 5 foot side yard under old regulations or an 8 foot side yard under existing regulations as the arrangement of the rooms is such that it would involve considerable alterations within the building.