

PUBLIC HEARING—June 16, 1965

Appeal #8235 Hyman Zalkind, appellant.

The Zoning Administrator District of Columbia, appellee.

Upon motion duly made, seconded and unanimously carried the following Order was entered on June 22, 1965:

ORDERED:

That the appeal for a variance from the side yard requirements of the R-1-B District to permit erection of a one-story rear addition to the dwelling at 2923 McKinley St. N.W., lot 5, square 2310, 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 40 feet on McKinley Street, a depth of 127.50 feet to a 15 foot wide public alley in the rear and contains an area of 5100 square feet.

(2) Appellant's lot is improved with a detached single-family dwelling with two side yards, one of 5.25 feet and one of 4.25 feet which indicates that the dwelling was erected prior to zoning regulations requiring a minimum of five feet each.

(3) Appellant proposes to erect an addition on the rear of the dwelling being 15 x 13.33 feet in size. Appellant requests permission to erect this addition in line with the existing side yard on the west side of the dwelling so as to continue the use of a room on the first floor as a bedroom and bath. Appellant states that he cannot set in the addition to eight feet as it would cut up the rooms too badly.

(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 case of hardship within the meaning of Section 8207.11 of the Zoning Regulations. It is our opinion that appellant's request is reasonable and that the granting of this addition on line with the existing side yard will provide a much more livable residence and will do no harm to adjoining or other properties in the area. We are further of the opinion that light and air to adjoining properties will not be affected adversely, as those property owners adjoining do not protest the appeal.

In view of the above it is our further 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.