

PUBLIC HEARING--July 14, 1965

Appeal #8275 Margaret C. Bowles, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Mr. Hatton dissenting, the following Order was entered on July 14, 1965:

**ORDERED:**

That the appeal for a variance from the rear yard requirements of the R-1-B District to permit erection of a one-story rear addition to the dwelling at 2934 Garfield St. N.W., lot 97, square 2113, 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 66.8 feet on Garfield Street and contains an area of 5000 square feet. The lot is improved with a detached single-family dwelling.

(2) Appellant proposes to enclose an existing patio which has a permanent frame to support an awning at the present time. This addition will be fourteen feet in depth by sixteen feet in width and will over-occupy the rear yard.

(3) Appellant states that he desires to enclose the area because in rainy and cold weather they are unable to use it so that it will be used as a patio and sun room. He further states that it will not be visible from the rear as his neighbor has a four foot wall and a fence and evergreen trees on both sides and that it will be screened on the other side by a five foot high fence and a four foot high wall.

(4) The building meets the requirements of all regulations as to occupancy and side yard requirements.

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

**OPINION:**

It is our opinion that appellant has proven a hardship within the provisions of Section 8207.11 of the Zoning Regulations and that a denial of his appeal will result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner. It is the feeling of the majority of the Board Members that the location of this patio, which is well screened from other properties, will not affect adversely conditions of light and air to adjoining properties. Furthermore, the adjoining property owners are in favor of the granting of the appeal.

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.