

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- July 13, 1966

Appeal No. 8831 James D. Thomas, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered t the meeting of the Board on July 18, 1966.

EFFECTIVE DATE OF ORDER -- July 27, 1966

ORDERED:

That the appeal for a variance from the provisions of Section 7502 to permit a swimming pool and accessory building in front of dwelling at #20 - 7th Street, NE., lot 830, square 868, be granted.

FINDINGS OF FACT:

- (1) Appellant's property is located in an R-4 District.
- (2) An inspection of the property was conducted by the Board on July 11, 1966. The lot is improved with a two-story brick dwelling which sits back from the front of the lot. The front of the lot has high brick walls (6 feet) and wooden gates of the same height. The property was very clean and well kept.
- (3) The lot has a 25 foot frontage on 7th Street, NE. and a depth of 96 feet. The lot contains 2070 square feet of land.
- (4) The dwelling is a restored carriage house and sits on the rear lot line.
- (5) Appellant proposes to construct a swimming pool in the front yard as there is no rear yard to the lot.
- (6) A high masonry wall extends from the ends of the buildings on either side to the front wall of appellant's dwelling, thus making the lot completely enclosed.
- (7) A parking space for one automobile is provided on the site.
- (8) No opposition to the granting of this appeal was registered at the public hearing. One letter on file from the property owner at 25 - 7th Street favors the granting of this appeal. The Capitol Hill Restoration Society favors the granting of this appeal.

(9) Section 7502.2 of the Zoning Regulations provides that "an accessory building shall be located only in a rear yard, except that an accessory private garage may be located in a side yard under the special regulations of Section 7401."

OPINION:

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations. The subject lot has no rear yard. The proposed swimming pool, although in the front yard, will have no adverse affect upon nearby or adjoining property for the reason that the subject lot is completely screened by high brick walls. The requested relief can be granted without substantial detriment to the public good and without substantially impairing the purpose, intent, and integrity of the zone plan as embodied in the Zoning Regulations and Map.