

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - June 14, 1967

Appeal No. 9257 J. V. Mladek, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on June 20, 1967.

EFFECTIVE DATE OF ORDER - December 14, 1967

ORDERED:

That the appeal for a variance from the side yard requirements of the R-1-B District to permit a 3-story rear addition to dwelling and variance from Section 7205 to permit open parking spaces in front of building at 3211 R Street, N.W., lot 808, Square 2154, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-1-B District.
2. The lot has a frontage of 30 feet on R Street, a depth of 160 feet, and contains an area of 4,800 square feet. Existing regulations require a frontage of 50 feet and an area of 5,000 square feet.
3. Appellant's property, as developed, is nonconforming as to lot width and area as well as side yard requirements of the regulations.
4. Appellant proposes to erect a 3-story rear addition to the dwelling providing a 5-foot side yard on each side in lieu of the 8-foot yards required under existing regulations. The proposed addition will be 19 feet, 10 inches by 19 feet 10 inches and will occupy 315 additional square feet of land.
5. The building, together with the proposed addition, will occupy approximately 985 square feet of land whereas 1,620 square feet is permitted under existing regulations.
6. Appellant proposes to provide parking space for his automobile in front of the existing dwelling inasmuch as there is no alley access at the rear of the property.

7. The front yard of the lot extends back approximately 55 feet to the front of the existing building.

8. There was opposition to the granting of this appeal registered at the public hearing.

OPINION:

We are of the opinion that appellant has shown a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of this appeal will prevent a reasonable use of the property. In this case appellant proposes an addition which will not extend beyond the rear of the dwellings adjoining to the east and west, and further, he is unable to park his car at the rear of the lot as there is no alley access and the existing 5-foot side yards prevent accessibility to the rear yard. We are also of the opinion that the proposed addition will not affect adversely conditions of light and air to adjoining property.

We are further of the opinion that a denial of the relief will result in peculiar and practical difficulties to and undue hardship upon the appellant, and further, that the relief requested 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.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:

  
CHARLES E. MORGAN  
Secretary of the Board

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.