

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - August 14, 1968

Appeal No. 9724 Algie R. Lewis, et ux, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of August 14, 1968.

EFFECTIVE DATE OF ORDER - August 14, 1968

ORDERED:

That the appeal for variance from the side yard requirements of the R-2 District to permit roof over existing rear porch at 4945 Sargent Road, N.E., lot 62, Square 3982, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-2 District.
2. The property is improved with a two story and basement brick single family dwelling.
3. Appellant proposes to construct a roof on an existing porch which is a concrete slab with railing.
4. Appellant alleges that he does not propose to enclose the porch. Appellant also alleges that the properties immediately abutting that of his have the beneficial use and enjoyment of the roof over their porches.
5. No opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that the appellant has proved a hardship within the meaning of the variance clause of the Zoning

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Regulations and that to deny the requested relief would result in peculiar and undue hardship upon the owner. Further, we hold that the relief can be granted without substantial detriment to the public good and without adversely affecting nearby and adjoining property, or the present character and future development of nearby and adjoining property.

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

ATTESTED:

By: _____

PATRICK E. KELLY
Secretary of the Board

THAT 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 SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.