

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING: August 14, 1968

Appeal No. 9730 Nathan and Willie Warren, Appellants

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 on August 14, 1968:

EFFECTIVE DATE OF ORDER: September 21, 1971

ORDERED:

That the appeal for variance from the side yard requirement of the R-5-A District to permit a 1-story rear addition to single-family dwelling at 300 - 41st Street, N.E., lot 177, Square 5083, be GRANTED CONDITIONALLY.

FINDINGS OF FACT:

1. The subject property is located in an R-5-A District.
2. The property is improved with a 2-story brick semi-detached dwelling.
3. Appellant proposes to construct a 1-story rear addition to the present structure. Presently the dwelling sets two feet off the side property line.
4. Appellant alleges that at one time there was a standard 8-foot side yard but that a sidewalk was installed on Clay Street which cut down the side yard so that it is now only two feet.
5. Appellant does not propose to erect the addition on either lot line. At one side there will be a regulation eight inches off the property line and on the other side there will be a few inches off the existing brick wall which will be a little over two feet off the lot line.
6. No objection to the granting of this appeal was registered at the public hearing.

OPINION:

The Board is of the opinion that appellant has proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner. Further, the requested 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 Maps.

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This Order shall be subject to the following condition:

The proposed addition to the dwelling should be moved to the lot line to eliminate the eight inches of side yard.

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

ATTESTED:

By: _____

GEORGE A. GROGAN
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 A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.