STATEMENT OF EXISTING AND PROPOSED USE
4325 47TH STREET,N.W.
LOT 38 IN SQUARE 1552

The subject property is located in the R-1-B residential zone. The corner lot is located at the intersection of 47TH Street, N.W. and Windom Place, N.W. There is a 16.0' wide alley which borders the lot on one side. The lot is 44 feet wide and 91.15' long. The lot area is 4011.0 square feet. For setback measurements, Windom Place, N.W. is considered the front of the structure.

The existing house has two stories and a basement. The masonry structure was built in 1941, prior to May 12, 1958, the effective date of the D.C. Zoning Regulations. The property owners Joanne Borsh and Joseph Ostoyich wish to make an addition to their existing two story detached single family dwelling to meet the needs of a growing family. Currently, there are two adults, one infant and two toddlers.

The proposed two story addition will consist of a bedroom on the second floor and an expansion to the existing galley kitchen to include an area for seating on the first floor. The existing galley kitchen is 7.75' wide (wall to wall) and 14'-5" long. The second floor bedroom addition will be built on top of the proposed addition to the kitchen.There is a small 3.92' x 11' covered porch to the rear to exit the kitchen/dining area. The proposed addition will require the following relief from the Board of Zoning Adjustment:

(1) Variance from Section 2001.3 to allow an addition to an existing detached single family in the R-1-B zone (Section 3103).

(2) Variance from Section 405.9 the side yard setback requirement for a structure in the R-1-B zone (Section 3103).

(3) Variance from Section 403.2 the maximum allowable lot occupancy requirement in the R-1-B zone (Section 3103).

The applicants seek three area variances in order to make an addition to their existing detached dwelling. A lot occupancy variance, a side yard variance and a variance to allow an addition to an existing nonconforming structure.The standards by

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which the Board of Zoning Adjustment should approve an area variance has been defined by the District of Columbia Court of Appeals. Palmer v. BZA, 287 A.2d 535, 541 (D.C. 1972). An area variance should be granted when the following conditions are shown to exist:

(1) The property is unique because of its size, shape, shape, topography and other extraordinary or exceptional situation or condition;

(2) The owner would encounter exceptional practical difficulties as a result of the strict application of the Regulations to its particular property; and

(3) The variances would not cause substantial detriment to the public good and would not impair the intent of the Zone Plan. Carlinger v. BZA, 412 A.2d 52, 53 (D.C. 1980); Capitol Hill Restoration Society, Inc. v. District of Columbia Board of Zoning Adjustment, 534 A.2d 939 (D.C. 1987).

The detached structure will continue to be used as a single family dwelling. The proposed addition to the existing structure will not impair the intent, purpose and integrity of the Zone Plan, therefore the applicants are submitting an application for area variances from the Board of Zoning Adjustment.