GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 12997, of Ted N. and Mary M. Tschudy, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the rear yard requirements (Sub-section 3304.1 and Paragraph 7107.22) to construct a rear addition and a dormer to a dwelling which is a non-conforming structure in an R-1-B District at the premises 4646 Greene Place, N. W., (Square 1358, Lot 889).

HEARING DATE: July 25, 1979

DECISION DATE: August 8, 1979

FINDINGS OF FACT:

1. The subject property is located in an R-1 B District on the south side of Greene Place, between Elliot Place and "Q" Street, N. W.

2. The subject property is improved with a two story plus basement detached single family dwelling.

3. The building has an existing enclosed porch at the rear, which is in extremely deteriorated condition. The applicants propose to demolish the existing porch and to replace it with a new enclosed porch.

4. The applicants also propose to add a dormer to the second floor of the house. The addition to the second floor can be accomplished under the Zoning Regulations as a matter-of-right, and does not require approval of the Board.

5. The existing dwelling with the existing porch has a rear yard of seventeen feet, nine inches. The normally required rear yard in an R-1-B District is twenty-five feet. The existing dwelling is thus non-conforming as to the rear yard.

6. The existing porch extends seven feet, three inches to the rear of the dwelling. The applicants propose to build a new porch which would extend ten feet back from the rear of the dwelling, or two feet nine inches more than the existing porch. The new porch would leave a rear yard of fifteen feet. A variance of ten feet will thus be required.

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17259
EXHIBIT NO. 9

Board of Zoning Adjustment
District of Columbia
CASE NO. 17259
EXHIBIT NO. 9

7. The applicant testified that if the new porch were restricted to the same size as the old porch, the interior dimensions would be limited to only six feet, which is an impractical size for a room addition. The Board concurs.

8. The proposed porch would have no adverse effect on light, air and ventilation for the subject property or any adjoining dwellings.

9. There was no report from Advisory Neighborhood Commission 3-B.

10. There was no opposition to the application.

CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the requested variance is an area variance, the granting of which requires the showing of a practical difficulty upon the owner arising out of the property. The Board notes that the location of the existing dwelling creates a rear yard which is presently non-conforming. That non-conformity, when combined with the impractical restricted size of the proposed porch creates a practical difficulty for the owner. The Board notes that the increase in the degree of non-conformity is minimal, and that there is no objection to the granting of the application. The Board concludes that the application 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. It is therefore ordered that the application be GRANTED.

VOTE: 4-0 (Chloethiel Woodard Smith, William F. McIntosh, Leonard L. McCants and Charles R. Norris to grant).

BY ORDER OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

ATTESTED BY: Steven E. Sher

STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER 9 OCT 1979

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS AND INSPECTIONS.