RECEIVED
D.C. OFFICE OF ZONING
2005 MAR 11 PM 1:33

Hearing Notice Summary and Burden of Proof

The owner wants to construct a house on Lot 117, Square 3890. The lot predates the 1958 institution of the zoning regulations and is 39.0' wide X 57.5' deep totaling 2,242.5 square feet in area. As such, it does not meet the present zoning requirements of the 4,000 square feet minimum area, 40' lot width minimum, and 20' lot depth for construction. These are three of the requirements that the owner would like relief from.

The owner wants relief from the side yard setbacks as well. The required side yard setbacks are 8' on each side. With the lot width of 39.0', this leaves only 23.0' available for the width of the house.

The neighboring house has a similar lot size (40'X57.5') that has side yard setbacks of 7.5'. There are also other houses on the block that do not meet the side yard setback requirements.

Since the owner is asking for these variances for the construction of a detached single family home, a use & configuration consistent with the homes & lots already on the block, the granting of these variances should have no adverse impact on the neighborhood with regard to traffic, noise, lighting, etc.

The owner is also asking for relief from the mandated parking space on the property. Due to the small size of the house, this would be impossible and would also change the overall appearance of the street. Adding a parking space would also limit greatly the amount of usable backyard space. Presently there is not shortage of parking on the block. The home is also being built for a single family, again, consistent with the other houses on the block.

Burden of Proof

1. The physical characteristics of the property: Since the lot is shallow and narrow, using today's zoning regulations would prevent the construction of a home similar to other on the block. The owner wishes to build a home consistent with the neighborhood.

2. Granting the application will not be of substantial detriment to the public good – traffic, noise, and lighting on the block will not be negatively impacted by the addition of a new home. The street currently has limited traffic and amply street space for parking – this will not change by adding a new residence.

3. Granting the application will not be inconsistent with the general intent and purpose of the Zoning Regulations and Map due to the fact that it will be a single family dwelling, consistent with the intended use of the neighborhood.

BZA
Case No. 17321
Exhibit No. 4

Board of Zoning Adjustment
District of Columbia
CASE NO. 17321
EXHIBIT NO. 4