

Zoning Committee Report of the meeting held on October 13, 2016. The committee considered the following three cases:

BZA# 19337. This case is the appeal by a neighbor of 325 5th Street, SE, from the issuance of a building permit by the Zoning Administrator. The property in question was the subject of a BZA order in BZA# 18938 dated October 15, 2015. The owner of 325 5th Street received special exceptions to construct an addition. The appellant appeared in the case, objected to the addition, and lost. He now attempts to appeal the decision of the BZA by appealing the issuance of the building permit. The committee found that the Zoning Administrator properly issued a permit based on the plans approved by the BZA in 18938 and the appellant cannot appeal any error committed by the BZA in this manner. The committee recommends opposing the appeal.

BZA# 19352. This case involves the request for special exceptions to make a rear addition at 328 12th Street, SE. The applicant needs special exceptions because the lot is substandard in size and width. The applicant also needs a special exception to enlarge the lot occupancy to 63%. The committee voted to support the application.

BZA# 19357. This case involves the application for an area variance to construct a deck at the rear of the property located at 712 8th Street, NE. The property contains 1219 square feet, is 16.25 feet wide, and has a lot occupancy of 72.4%. There is currently no deck but just stairs that lead to the ground from the back door. Adjacent properties have similar configurations. The zoning regulations specify that for an area variance the applicant must prove that the strict application of the zoning regulation would result in peculiar and exceptional practical difficulties to the owner of the property. The committee found that the applicant did not meet this test regarding a deck and voted to oppose the application.