

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - October 18, 1972

Application No. 11075 - Carol R. Henriquez, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with Mr. Scrivener dissenting, the following Order of the Board was entered at its meeting of November 1, 1972.

EFFECTIVE DATE OF ORDER -- November 20, 1972

ORDERED:

That the application for variance from lot occupancy, rear yard and lot area and width requirements of the R-5-B District to convert apartment house from 6 units to 7 units at 635 G Street, S.E., Lot 54, Square 878, be GRANTED.

FINDINGS OF FACT:

1. The subject property is located in a R-5-B zone, a district of general residence.
2. Appellant's request for a variance is pursuant to Section 8207.11 of the Zoning Regulations which requires applicant to demonstrate to the Board's satisfaction that without the variance hardship will accrue to the owner.
3. It is appellant's contention that the rear garages (2) need repair, the outward appearance is unsightly and not functional to the community. And in their existing state are fire hazards.
4. Appellant intends to rehabilitate the existing property at a cost of more than \$25,000. The architecture as reflected by the plans is in keeping with the general type of architecture on Capitol Hill and will be in harmony with the other buildings in the area.
5. No opposition was voiced at the public hearing, however the record does reflect opposition in the form of a letter submitted by the Capitol Hill Southeast Citizens Association. The opposition's major concern being for parking accommodations.

OPINION:

It is appellant's intention to convert the two existing garages into three living units. Originally appellant had planned to erect a nine unit apartment complex on the property, but due to the scarcity of parking the plans were altered to accommodate only seven units. The latter plan, as appellant contends does meet with civic approval.

The Board is aware of the applicability of Sections 3303.1, 3304.1 and 3306.1 as to percentage of lot occupancy, rear yard, and width and area of closed court. Variances in all the above are required and are hereby granted. The Board has considered the effects of this variance and is of the opinion that the proposed rehabilitation of the subject property will provide a beneficial and advantageous way to upgrade the neighborhood without any detriment to the existing neighborhood and the additional unit requested can defray the enormous cost needed to rehabilitate the subject property.

The Board further notes that a grant of the requested variance would not cause substantial detriment to the public good nor would it impair the integrity of the zone plan.

We are of the opinion that appellant has proved 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.

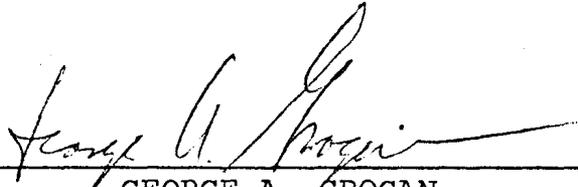
Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

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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 DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.