

Before the Board of Zoning Adjustment, D. C.

Application No. 11582, of Semih Ustun, pursuant to Section 8207.11 of the Zoning Regulations for a variance from the lot area requirements, as provided by Section 3301, to permit the construction of 3 flats of 1115-1123 G Street, S. E., part of lot 79, Square 995.

HEARING DATE: March 20, 1974

EXECUTIVE SESSION: June 6, 1974

FINDINGS OF FACT:

1. The subject property, containing 5,555.2 sq. ft. is part of property formerly owned by Potomac Electric Power Company and located in a R-4 Zoning District.

2. The proposed three lot subdivision for flats calls for each lot to be 1,791.46 sq. ft. or approximately $8\frac{1}{2}$ sq. ft. below the minimum area requirements of the R-4 District for flats. Each of the lots would be 20.67 ft. in width, have a rear yard in excess of 40 ft., a lot occupancy less than 50%, parking for two spaces for each lot, and thus except for the minimum area meet all of the requirements of the R-4 District.

3. The property immediately to the east is improved by the PEPCO Sub-station. Properties immediately to the west on G Street are row dwellings which are below the R-4 minimum standards. In the same square and in surrounding squares there are numerous apartments and other row dwellings below the minimum requirements of the R-4 zone. Also in the subject square are commercial uses.

4. The Board in BZA application No. 10885 granted permission for four row dwellings, each containing a rental unit for lots 16 ft. in width. However, the applicant was unable to acquire the additional property to meet the 16 foot condition. In the same application then requested approval of three (3) buildings with 2 flats in each but the Board denied the application without prejudice to refiling on the basis that no plans were filed showing the three (3) lot development.

5. In BZA Application No. 11186, the applicant requests approval of three flats which application was denied on the basis that flats in an R-4 District required a minimum lot area of 4,000 square feet. Pursuant to Zoning Commission review of application No. 11186, the Zoning Commission amended the Zoning Regulations to make clear in the Zoning Regulations that in the R-4 Zoning District a flat required only a minimum of 1800 square feet with 18 feet of frontage.

6. There is no opposition to the granting of this area variance and the Capitol Hill Restoration Society unanimously supports the grant of this application.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact, the Board is of the opinion that the applicant has establish a practical difficulty necessary to support an area variance. The requested variance is a minor variance which does not deviate from the character of the development in the area. The grant of the application will be in harmony with the purpose and intent of the zoning Regulations. It will not tend to affect adversely the use of nearby or adjoining property.

ORDERED: That the above application be GRANTED.

Vote: 4-0 (Lilla Burt Cummings, Esq. abstaining and Mr. Harps not present, but voted on 6-13-74)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By: 
JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER: **JUN 24 1974**

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.