

Before the Board of Zoning Adjustment, D. C.

Application No. 11639 of Melvyn Friedman, pursuant to Section 8207.11 of the Zoning Regulations for a variance from the 900 square feet requirement of the R-4 Zone as provided by Section 3301.1 to continue use of premise as a three family flat at 1624 K Street, N. E., Lot 49, Square 4473.

HEARING DATE: May 15, 1974

EXECUTIVE SESSION: June 6, 1974

FINDINGS OF FACT:

1. The property is improved with a three family flat and is located in an R-4 Zone.

2. The subject property and six others adjoining it (1624 through 1636 K Street, N. E.) were built in 1941 as three family flats.

3. Applicant-owner testified that he purchased the subject property in May of 1963. At the time of purchase it was being utilized as a three family flat and has been maintained as such since the date of purchase.

4. Applicant-owner also testified that he owns 1628 and 1632 K Street, N. E. and has been using them as three family flats since purchasing them in 1962. They were also three family flats at the time of purchase.

5. Applicant has a valid certificate of occupancy for the premises 1628 and 1632 K Street, N. E., but does not have one for 1624 K Street, which is the subject of this application.

6. The permit office has no record of a certificate of occupancy for the subject premises.

7. Applicant is requesting a variance of 850 square feet. The area of the lot in question is 1,851 square feet. Under the R-4 Zoning requirements, 900 square feet of lot area for each unit must be provided.

8. No opposition was registered.

CONCLUSIONS OF LAW:

The Board is of the opinion that applicant has proved a hardship within the meaning of the variance clause. The area in which the subject property is located is and has been utilized as a three family flat since 1941.

To deny the requested relief would result in an exceptional practical difficulty upon the owner since there is a valid certificate of occupancy for two out of three premises that applicant owns. All of which have been used as three family flats since the time of purchase.

ORDERED:

That the above application be GRANTED.

VOTE:

4-0 (Mr. Harps not present)

BY ORDER OF THE D. CL BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

James E. Miller  
JAMES E. MILLER  
Secretary to the Board

FINAL DATE OF ORDER: 7/30/74

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 WITH A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.