

Before the Board of Zoning Adjustment, D. C.

Application No. 11724, of Anne Arundel Investment Corp., pursuant to Section 8207.2 of the Zoning Regulations, for a special exception to change a non-conforming use from rooming house consisting of ten rooms to an apartment house consisting of five units as provided by Section 7104.2, in the R-3 zone at premise 2126 R Street, N. W., Lot 13, Square 2513.

FINDINGS OF FACT:

1. The property is improved with a rooming house, consisting of ten rooms, a kitchen, four bathrooms, and a utility room. The certificate of occupancy permits 22 people on the premises.

2. Applicant testified that he intends to convert the rooming house into an apartment house containing five apartments, each apartment having its own private bath and kitchen.

3. The present use of the subject property is non-conforming to the R-3 zone and the applicant requests permission to change the non-conforming use from a rooming house to an apartment house. The present use and the proposed use are permitted in the R-4 zone.

4. Article 33 of the Zoning Regulations prescribes a minimum of 900 sq. ft. per unit lot area for conversions to multiple dwellings, therefore the applicant would require an area variance to convert the present dwelling into multiple units.

5. Five units would require 4500 sq. ft. of lot area, the lot area of the subject property is 1200 sq. ft. Therefore, the applicant needs a variance of 3300 sq. ft. The Board at public hearing granted applicant's oral motion to amend his application to request this area variance.

6. The applicant testified at public hearing that the proposed conversion would locate one apartment on the 1st floor, two apartments on the 2nd , and one apartment on the third and fourth floors each.

7. The Sheridan-Kalorama Neighborhood Council, represented by Wm. H. Greer, Jr. were not in opposition, but were concerned with structural changes, whether the policing would be adequate to control the number of people residing on the premises, and whether the actual operation of the apartment house would be in conformance with the Zoning Regulations.

The Council felt that the conversion from a rooming house to an apartment house would have the effect of stabilizing the neighborhood.

8. No opposition was registered at public hearing.

OPINION AND CONCLUSION OF LAW:

Based upon the above findings of fact, the Board is of the opinion that the applicant is confronted with a practical difficulty by converting the subject property to a multiple dwelling and that the granting of the application will have a beneficial affect on neighboring property by reducing to density of people residing on the subject property and creating a more stable neighborhood with apartment units which are less transient in nature than rooming house units.

The Board concludes that the granting of this application is in harmony with the purpose and intent of the Zoning Regulations, and that the proposed use will not adversely affect the use of nearby and adjoining property.

ORDERED: That the above application be GRANTED for five units on the condition that no more than thirteen persons reside in the building.

VOTE: 3-0 (Lilla Burt Cummings, Esq. and Mr. Klauber not present, not voting, nor having heard the case.)

HEARING DATE: September 18, 1974  
EXECUTIVE SESSION: September 25, 1974

BY ORDER OF D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: James E. Miller  
JAMES E. MILLER,  
Secretary to the Board

FINAL DATE OF ORDER: **OCT 16 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.