

BEFORE THE BOARD OF ZONING ADJUSTMENT, D. C.

Application No. 11961, of J. Anthony Moran, pursuant to Sections 8207.1 and 8207.2 of the Zoning Regulations, for the following variances to permit conversion of existing accessory building into a dwelling and erection of an addition to the same: a variance from the subdivision requirements of Section 1302.2 of the regulations; a variance from the rear yard requirements of Section 3304.1 of the regulations; and a variance from the closed court requirements of Section 3306.1 of the regulations; as provided by Section 8207.11 of the regulations, and for a special exception, pursuant to Section 7205.3 of the regulations, to permit parking in front of a dwelling, in the R-3 zone, at the premises 1537 - 28th Street, N.W., known as Lot 301, Square 1266.

HEARING DATE: July 22, 1975
DECISION DATE: August 6, 1975

FINDINGS OF FACT:

1. The subject property is to be subdivided into four (4) lots in order to create an individual lot for each of the single-family dwellings. A garage is to be added to the existing dwelling, two (2) additional row dwellings are to be erected, and an existing accessory building (two (2) story brick carriage house) will be converted into a single-family dwelling by adding an addition to connect it to an existing one (1) story brick garage.
2. The carriage house is located on a more than 5,000 square foot lot in the R-3 zone where a detached dwelling requires only a 4,000 square foot lot and a semi-detached single family dwelling requires only a 3,000 square foot lot.
3. The garage and carriage house are to be connected by a loggia. The garage is now located almost directly on the property line and a twenty (20) foot rear yard variance and approximately three (3) foot closed variance are required. Because of the location of the structure on the lot parking will be at the front of the dwelling.
4. Applicant's proposed plan is designed to preserve the existing carriage house built during the Civil War era.
5. In a letter dated July 17, 1975, from the president of the Citizens Association of Georgetown no objection was stated to the application for the following reasons: the plan restoring the existing carriage house and garage will preserve open space and prevent further subdivision of that part of the property. There will be a covenant placed to preserve the existing large beech tree located on the subject property.

6. Testimony by an abutting property owner and another neighbor and letters in the record from neighbors indicate regret at the subdivision and erection of additional dwellings. However, they all stress the importance of preserving the historic carriage house and large beech tree.

7. The Commission on Fine Arts on April 10, 1975, recommended the design and rear yard exceptions in the public interest for the purpose of preserving the historic carriage house.

8. The State Historic Preservation Officer for the District of Columbia on June 9, 1975, recommended that alterations of the buildings would not be contrary to the public interest and should not be delayed.

9. There is a letter of opposition in the record from a neighbor stating that the old homes in the area are at the mercy of speculators and the parking problems are worsening a private garage are used strictly for utility purposes.

CONCLUSIONS OF LAW:

Based upon the above findings of fact and the evidence of record the Board finds that the applicant is suffering a practical difficulty. The proposed restoration of the existing carriage house and garage for use as a single-family dwelling is a permitted use in the R-3 zone. Applicant is attempting to preserve the historic carriage house and the lot is well over the required minimum area for a single-family dwelling. The location of the existing garage on the lot line instead of in the middle of the lot requires a rear yard variance and closed court variance. If the structure were located toward the center of the lot no area variances would be required. The location of the structure and the shape of the lot also prevents parking to the side of or rear of the dwelling. The Board is of the opinion that the practical difficulties suffered by the applicant as a result of the location of the existing structure can be relieved without substantial detriment to the public good and without impairing the intent of the Zoning Regulations. The Board further finds that the special exception to permit parking in front of the dwelling is in harmony with the Zoning Regulations and will not tend to adversely affect the use of neighboring property.

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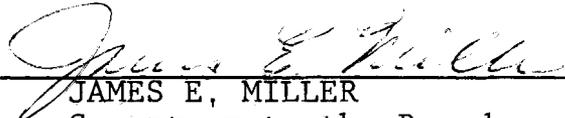
ORDER: It is hereby ORDERED that the above Application be, GRANTED.

VOTE: 5-0

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

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 HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

ATTESTED BY:



JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER: December 1, 1975