Before the Board of Zoning Adjustment, D. C.

Application No. 12195, as amended, of Southwest Housing Company, Inc., pursuant to Sub-section 8207.11 of the Zoning Regulations, for variances from the lot area requirements (Sub-section 3301.1) to permit the conversion of a dwelling to a three (3) unit apartment house in the R-4 District at the premises 922 "T" Street, N. W., Square 362, Lot 225.

HEARING DATE: September 15, 1976
DECISION DATE: September 15, 1976 (Bench Decision)

FINDINGS OF FACT:

1. As originally advertised the application was also for a variance from the parking requirements of Sub-section 7202.1 but the application was amended at the public hearing.

2. Applicant intends to convert a vacant three story row dwelling house into three one-bedroom apartment units.

3. For the proposed use applicant, under the Zoning Regulations, would require twenty-seven hundred square feet (2,700) of lot area. The property has approximately one thousand seven hundred thirty four square feet (1,734). Applicant would need approximately a one-third variance of lot requirements.

4. The property was purchased for $12,000-$14,000, by the present owner some years ago as rental property for the purposes of investment.

5. The subject house had been rented for three (3) years and then was boarded up because of housing violations.

6. It was rented at $135.00 per month.

7. Comparable houses in the immediate neighborhood restored as one-family units are now selling for $40,000-$50,000.

8. Applicant's intent is to restore the house to return it to the rental market, not to the sales market.

CONCLUSIONS OF LAW:

Based on the record the Board concludes that applicant has not met the burden of proof in establishing the hardship issue under Sub-section 8207.11 of the Zoning Regulations that would

warrant the granting of the variance sought. The hardship to be proved herein must exist with the property. It is not a personal hardship based on the ultimate use of a property for its maximum gain. The issue is whether the property can be used in the manner for which it was zoned. The Board finds it can be so used. Accordingly, it is ORDERED that this application is DENIED.

VOTE:

4-0-1(Lilla Burt Cummings, Esq., Ruby B. McZier, Esq. and William S. Harps to DENY; Leonard L. McCants, Esq. ABSTAINS)

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

ATTESTED By: Arthur B. Hatton
ARTHUR B. HATTON
Executive Secretary

FINAL DATE OF ORDER: 3-14-77