

BEFORE THE BOARD OF ZONING ADJUSTMENT, D. C.

Application No. 12311 of Ransom L. Eng and Helen S. Eng. In this application the applicants seek, pursuant to Sub-section 8207.11 of the Zoning Regulations, area variance from the strict application of Sub-section 3305.1 (side yard); Sub-section 3303.1 (lot occupancy), Sub-section 3301.1 (lot area), Sub-section 7202.1 (off-street parking) and Sub-section 7615 (principal building). Specifically, the applicants seek to convert an accessory building into a principal building which will be used as a flat in the R-4 District at 440 New Jersey Avenue and 435 First Street, S. E., Lot 36, Square 694.

HEARING DATE: March 19, 1977
DECISION DATE: April 6, 1977

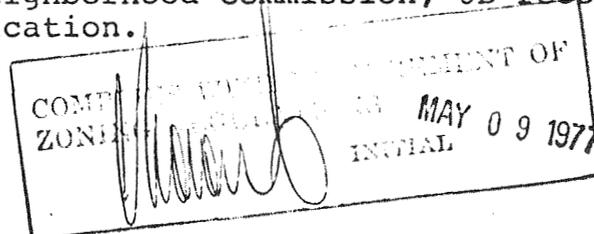
FINDINGS OF FACT:

1. The applicant at public hearing requested that the application be amended from a flat to a single family dwelling unit. Upon receiving no objections from the parties or other interested persons to the case, the Board approved the amendment.

2. The amendment of the application removed the necessity of requesting a variance from the off-street parking requirement as previously required under Sub-section 7202.1 of the Zoning Regulations. One interior off-street parking space will be provided as required by the regulations.

3. The subject lot is approximately 3,788 square feet which is more than the area required for two standard lots for row dwellings in an R-4 area. The existing side yard of the proposed principal building is 4.92 feet and does not meet the minimum requirements of eight (8) feet. The lot occupancy exceeds the minimum by 576 square feet. When the total property is theoretically divided, the lot area requirements are deficient by 32 square feet for 440 New Jersey Avenue, (a new building requiring 1800 square feet) and 980 square feet for the proposed principal building at 435 First Street, (a semi-detached structure requiring 3,000 square feet). 435 First Street is a two (2) story structure formerly used as a carriage house, the ground floor is approximately 789 square feet and the upper floor is approximately 1096 square feet. The building was constructed in the early 1900's and has full frontage along First street.

4. The Advisory Neighborhood Commission, 6B recommends approval of the amended application.



5. The Capitol Hill Restoration Society, Inc., abutting property owners and other citizens from the area supported the amended application.

6. Applicant submitted revised drawings dated March 10, 1977. These drawings are part of the record and referred to by the Board at the hearing.

CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the proposed use of the existing accessory structure located at 435 First Street, S.E., on Lot 36, Square 694 as one of two principal buildings on a theoretical lot is consistent with the intent and purpose of the Zoning Regulations. The use is compatible with abutting properties and will not become objectionable to the neighborhood. The structure has been existing for a long time having been originally designed as a carriage house, a permitted use in the R-4 district. It is therefore ORDERED that this Amended Application including the revised drawings dated March 10, 1977 on file be approved and the application is, GRANTED.

VOTE: 4-0 (Leonard L. McCants, Esq., William F. McIntosh, Lilla Burt Cummings, Esq., and Dr. Walter B. Lewis).

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

ATTESTED BY:

Bernard J. McMahon

BERNARD J. McMAHON
Assistant Secretary

FINAL DATE OF ORDER:

April 13, 1977

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.

Rec'd Planning Dept May 3, 1977.