GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 12507 of Peerless Properties, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Sub-section 7104.2 to change three non-conforming uses from four unit apartment houses to two single family dwellings in the C-M-2 District at the premises 415,417 and 419 W Street, N.E., (Square 3621, Lots 41,42 and 43).

HEARING DATE: October 25, 1977
DECISION DATE: October 25, 1977 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located at 415,417 and 419 W Street, N.E. and is in a C-M-2 District.

2. The total site is 6,396 square feet in area and is sub-divided into three lots each approximating 2,130 square feet. Each lot is improved with a two story apartment building containing four units.

3. The applicant seeks permission to change each of the three non-conforming uses from four unit apartment houses to two row dwellings with separate outside entrances. There would thus be a total of six row dwellings.

4. The subject buildings are sixty years old and are in worn and deteriorated condition.

5. The applicant stated that the conversion is necessitated by the cost of complying with housing code violations and the lack of the tenant's responsibility in maintaining the premises.

6. Surrounding the subject site to the north is a retail tire center, to the south a storage building used by the D.C. Department of Recreation, to the west row houses and to the east is

the D. C. Career Skill Center and structure occupied by the U.S. Postal Service.

7. Each townhouse unit of the contemplated development will be located on a 1,065 square foot lot with a rear yard area of approximately 297 square feet. The gross floor area of each unit is approximately 1,350 square feet and the percentage of lot occupancy is approximately sixty-three per cent.

8. The applicant stated that the present qualifying tenants may be relocated to other apartments which the applicant controls and that the existing tanants will be given the right of first refusal to purchase the converted units if they qualify.

9. Advisory Neighborhood Commission 5C filed no recommendation on this application.

10. There was no opposition to this application.

11. The Municipal Planning Office, by report dated October 21, 1977 and by testimony at the hearing, recommended approval of the application, stating that the application "represent a substantial improvement over the deteriorated apartments which occupy the site and will further the Districts' policy of improving existing housing stock and increasing the opportunity for home ownership".

CONCLUSIONS OF LAW AND OPINION:

Although the proposed conversion is a move away from conformity to those uses permitted in the C-M-2 District, the Board concludes that it represents a substantial improvement over the deteriorted apartments which occupy the site and it will further the District's policy of improving existing housing and increasing the opportunity for home ownership. In addition the applicant has proposed certain provisions for those tenants who will be dislocated.

The Board further concludes that from the plans discussed the land would not be overcrowded nor would there be a substantial increase in building or population density above that which is generated by the existing apartment units. The Board concludes that the granting of the special exception will not adversely affect the present character and future development of the neighborhood.