

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12541 of H. C. Construction Ltd., pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the prohibition against creating a lot that does not conform to the Zoning Regulations (Sub-section 1302.2) to convert five apartment houses with four units each into ten dwellings not meeting the lot area, lot width, lot occupancy, open court and rear yard requirements of the R-4 District at the premises 1119-1135 West Virginia Avenue and 1105-1107 Morse Street, N.E., (Square 4070, Lots 148-152).

HEARING DATE: December 21, 1977  
DECISION DATE: January 4, 1978

FINDINGS OF FACT:

1. The subject property is located at 1119-1135 West Virginia Avenue and 1105-1107 Morse Street, N. E. and is in an R-4 District.
2. The total area of the subject five contiguous lots is 13,848 square feet. Each of the five lots is improved with one two-story four unit brick apartment building which has an enclosed rear porch. The apartments were built in 1935.
3. The surrounding residential uses are comprised of two-story row dwellings with porches. In the immediate area of the site are the following: to the north along Morse Street are row houses with porches; to the south separated by a 20 foot alley and within the C-2-A District is an apartment building; to the immediate east behind the site and perpendicular to it is a 20 foot wide dead end alley which separates the site from the rear yards of residences which front along Morse Street; to the west on the opposite side of West Virginia Avenue is the Galludet College.
4. The applicant proposes to subdivide the five existing lots improved with five apartment buildings into ten lots which will coincide with the ten proposed converted row dwellings. Each row dwelling will have an average gross floor area of 1,365 square feet which will contain a dining room, kitchen, two bathrooms, three bedrooms and living room. In order to effectuate the conversion the existing staircases in each building will be removed and replaced by a partywall with a stairway on each side that leads to the second level of each unit. Each town house will have a separate outside entrance as well as new carpeting, new kitchen equipment and new enclosed rear porches. The exteriors of the buildings will be landscaped. The exterior stairs will be replaced but there will be no further exterior changes.

5. The applicant is the contract purchaser of the subject property.

6. The applicant, in order to accomplish the intended conversion, will require variances from the lot area, lot width, lot occupancy, open courts and rear yard requirements.

7. If the Board granted the relief requested the area of the lots will range from 1,066 to 1,763 square feet with the overall average of 1,384 square feet per lot.

8. The sell price of the converted houses is approximated at the upper \$30,000 range and may be acquired under VA, FHA and conventional financing.

9. The Municipal Planning Office by report dated December 15, 1977 recommended approval of the application.

10. Advisory Neighborhood Commission 5-B made no recommendation on the application.

11. There was opposition to the application on behalf of tenants who would be displaced by the present conversion of the subject property.

12. Applicant testified and later submitted in writing and marked as Exhibit 18 in the record, as to plans to relocate the tenants displaced by the subject conversion and their option to purchase one of the proposed newly created subject row houses. The relocation plans were submitted to and approved by the Board.

CONCLUSIONS OF LAW:

The proposed conversion to row dwellings is in conformity with the surrounding row dwellings and represents a decrease in use intensity when compared to the existing apartment use. The Board is of the opinion that the location, size and shape of the lots, the existing improvements and the proposed conversion present issues of a practical difficulty. The Board concludes that the variances can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan. The Board is also aware that the conversion and sale of the ten units in fee simple will serve to stabilize the neighborhood, further the District of Columbia policy of improving existing housing and increase the opportunity for home ownership. The Board is mindful of the potential problems caused by displacement of the existing tenants, and believes that the applicant has made a good faith effort to assist the present tenants. Accordingly it is ORDERED

that the application is GRANTED subject to the CONDITION that the plans for the relocation of the displaced tenants, submitted to and approved by the Board, marked as Exhibit 18, and attached hereto are made a part of this Order.

VOTE: 5-0 ( Walter B. Lewis, having read the record, Charles R. Norris, Chloethiel Woodard Smith, William F. McIntosh and Leonard L. McCants)

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

ATTESTED By:

  
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STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER:

10 JAN 1978

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.