

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12566 of Doris L. Jackson, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the lot area requirements (Sub-section 3301.1) to permit the conversion of a building to a nine unit apartment house in the R-4 District at the premises No. 6 Rhode Island Avenue, N.W., (Square 3111, Lots 50 and 51).

HEARING DATE: January 25, 1978

DECISION DATE: January 25, 1978 (Bench Decision)

FINDINGS OF FACT:

1. The application was amended at the public hearing to reflect that the subject property is located at No. 6 Rhode Island Avenue, N.W. not No. 10 Rhode Island Avenue, N.W. The property is in an R-4 District.
2. A Certificate of Occupancy, No. B-5028, dated May 1 1957 was issued to the former owner of the property to use the first and second floor, lot 50 as a flat (third floor to remain vacant).
3. The applicant has been repairing and renovating the property over a period of fifteen years. The flat, has been primarily vacant during this time, and the building is in a rundown condition and is an eyesore to the area.
4. The applicant seeks permission to use the basement, first, second and third floors as an apartment house consisting of nine units. There will be six 2-bedrooms apartment and three 1 bedroom apartments.
5. The proposed use, under the Zoning Regulations, requires 8100 square feet of lot area. The subject lot 50 consists of 1,631 square feet of area.

6. Lot 51 is adjacent to the subject lot. It is a corner lot and triangular in shape. It is unimproved, is approximately 1,135 square feet in area and is owned by the applicant.

7. The applicant testified that she could subdivide lots 50 and 51, making one lot of approximately 2700 square feet in area.

8. There was no opposition to the application at the Public Hearing.

9. There was no report from Advisory Neighborhood Commission 5C received in the record.

CONCLUSIONS OF LAW:

The subject property has been in a rundown condition for many years. Its renovation would tend to stabilize the neighborhood and put income producing property on the market. It would cease to be an eyesore to its neighbors.

The requested variance is an area variance the granting of which requires a showing of a practical difficulty arising from the property itself. The shape of the subject property is unique and does create such a difficulty. The Board concludes that the variance can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the application is GRANTED SUBJECT TO THE CONDITION that lots 50 and 51 be combined into one lot.

VOTE: 4-0 (Charles R. Norris, William F. McIntosh, Chloethiel Woodard Smith and Leonard L. McCants)

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

ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 23 FEB 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.