

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12670, of Bradford Pellett, pursuant to Paragraph 8207.11 of the of the Zoning Regulations, for a variance from the lot area requirements (Sub-section 3301.1) to permit the construction of a row dwelling in the R-4 District at the premises 539 - 3rd Street, N.E., (Square 779, Lot 94).

HEARING DATE: June 21, 1978  
DECISION DATE: July 5, 1978

FINDINGS OF FACT:

1. The subject site is located at the intersection of 3rd Street and F Street, N.E., and is known as 539 - 3rd Street, N.E. It is in an R-4 District.
2. The subject site is 825 square feet in area, vacant and covered with vegetation. The lot is immediately adjoined to the south by five three (3) story row houses with identical lot areas. The immediate surrounding areas are comprised of two and three story row houses with lot sizes of less than 1,800 square feet.
3. The applicant proposes to build on the vacant lot a brick three story, two bedroom row houses with an in-house garage. The main entrance to the building will be on the side which fronts along F Street and not 3rd Street, N.E.
4. The five lots immediately adjoining the subject lot are of the same substandard size and improved with row houses similar to the one proposed, except for bay windows.
5. The minimum lot size in the R-4 District is 1,800 square feet. Since the existing lot is 825 square feet, a 975 foot variance is required to eccectuate the proposed use. The proposed dwelling will be thirty-two feet by fifteen feet.

6. A typical row dwelling built on this lot could have a ground coverage of 511 square feet, be three stories in height, have a maximum floor area of 1,533 square feet (not including cellar) and one off-street parking space. Such a structure would comply with all of the area density, bulk and parking requirements of the Zoning Regulations, except for lot area, the width being with eighty per cent of the required eighteen feet. The house being located on a corner lot could contain three or four bedrooms, all with adequate natural light, and ventilation and be perfectly habitable.

7. There is no reasonable use that could be made of the sub-standard lot consistent with existing zoning should the application be denied.

8. By report dated June 14, 1978, the Municipal Planning Office recommends that the application be approved on the grounds that the substandard lot size supports the request for variance relief from the minimum lot size of 1,800 square feet; in addition, because of the lot size, no reasonable use could be made of the property consistent with the Zoning Regulations; the fact that the adjoining residences are on substandard lots and improved with row houses similar to the one proposed tends to establish that approval of the application will not be likely to adversely affect the character of the area or impair the intent, purpose and integrity of the zoning plan.

9. A neighboring property owner submitted a letter in support of the application.

10. There was no opposition to the case.

11. Advisory Neighborhood Commission 6A, was notified, but no recommendation was made.

12. Stanton Park Neighborhood Association was in favor of the application and recommended its approval.

#### CONCLUSIONS OF LAW:

The requested variance is an area variance, the granting of which requires the showing of a practical difficulty. The Board finds that the denial of this application would result in practical difficulties for the owner of the subject site. There is no reasonable use other than the one proposed that the subject site could be used for. The denial of said application would result in the site going unused for any practical purpose. The Board further finds that the adjoining residences are on substandard lots and improved with

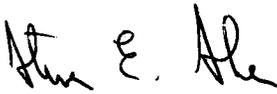
row houses similar to the one proposed.

The Board concludes that the application can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zoning Regulations and Map. Accordingly, it is hereby ORDERED that the application is GRANTED.

VOTE: 3-0 (William F. McIntosh, Leonard L. McCants to GRANT, Walter B. Lewis to GRANT by proxy, Chloethiel Woodard Smith not voting, not having heard the case).

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: 1 AUG 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.