

PUBLIC HEARING**Oct. 21, 1964

Appeal #7960 Leon A. Tashof, Trustee, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Messrs. Davis and Harps dissenting the following Order was entered on October 27, 1964:

ORDERED:

That the appeal for a variance from the provisions of Section 3301.1 of the Zoning Regulations requiring 900 square feet of lot area per unit for conversion of flat into a four-family apartment at 101 E St. S.E., lot 101, square 736, be conditionally granted.

From the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lot has a frontage of 19.25 feet on 1st Street and a depth of 73 feet along E Street, and contains an area of 1405 square feet of lot area.

(2) The building is now a three story flat with two units in the building, with a family on the first floor and a family on the second floor. The basement is habitable. Appellant proposes to provide a two bedroom apartment on the second floor, a two bedroom apartment on first floor and two efficiencies in the basement.

(3) Appellant will provide a parking compound for two small cars or one large car.

(4) The lot contains an area of 1405 square feet of lot area whereas regulations in the R-4 District would require 3600 square feet of lot area for conversion to four units. The building has an occupancy permit for a two-family flat.

(5) There was opposition to the granting of this appeal registered at the public hearing.

OPINION:

We are of the opinion that appellant has proven a hardship within the meaning of the variance clause of the statute, and that a denial of the request will result in peculiar and exceptional practical difficulties and exceptional and undue hardship upon the owner. However, it is the opinion of the Board that due to the large amount of deficiency in the lot area, that only three units should be approved. There this order is subject to the following limitation:

(a) Conversion of this two-family flat shall be limited to three units.