

PUBLIC HEARING--May 12, 1965

Appeal #8168 John Middents, Ray Harmon and Fritz Berliner, appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on May 17, 1965:

ORDERED:

That the appeal for a variance from the lot occupancy, and FAR requirements of the R-4 District for building at 614 East Capitol Street and for a variance from the lot occupancy, rear yard and front yard requirements of the R-4 District for accessory building at the rear of said address to permit two dwellings on one lot in accordance with the provisions of Section 7516 of Zoning Regulations at 614 East Capitol Street, lot 808, square 868, be denied.

As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lot has a frontage of approximately 20 feet on East Capitol Street, a depth of approximately 128 feet to a 30 foot wide public alley in the rear, and contains an area of ~~225~~ 2594 square feet.

(2) The property is improved with an existing row dwelling facing East Capitol Street extending back approximately 63 feet and on the rear of the lot is a two-story carriage house 33 feet in length and extending from lot line to lot line. This building faces onto the 30 foot wide public alley. Appellant intends to convert this carriage house into a residence. Access to this carriage house would be through lot 807 adjoining to the east which is controlled by the owner of lot 808.

(3) Computations on occupancy, FAR and yard space indicate the following:

(a) The dwelling over-occupies the lot by some 602 square feet; exceeds the FAR allowable by 2309 square feet and provides a rear yard of 20 feet which meets regulation requirements.

(b) The carriage house exceeds the lot occupancy requirements by 189 square feet; provides no rear yard and has a 14 foot front yard whereas 20 feet is required.

(4) Section 7516--Exceptions to Building Lot Control - permits two or more principal buildings on a single subdivided lot provided all requirements of the Zoning Regulations are met with respect to use, height, bulk and open spaces around each building as provided by paragraphs 8103.2 and 8103.3 of the Zoning Regulations. This regulation also provides where a principal building has no street frontage, the front thereof shall be the side upon which the principal entrance is located * * * .

(5) There was no objection to the granting of this appeal registered at the public hearing. The Capitol Hill Southeast Citizens Association and the Capitol Hill Restoration Society voted in favor of the granting of this appeal.

OPINION:

The Board finds that there is no grounds for the granting of a variance by reason of exceptional narrowness, shallowness or shape of the specific piece of property, or other extraordinary or exceptional situation or condition of the property. The existence of the carriage house is not, in the opinion of this Board, an extraordinary or exceptional situation which would justify a variance since there are numerous such carriage houses in this and other sections of the city.

In conclusion, the Board is of the opinion that the circumstances related to this property are sufficiently common that if the renovation of carriage houses for residential use is considered a desirable form of development, provisions for such development should become apart of the Zoning Regulations.