

PUBLIC HEARING--November 17, 1965

Appeal #8460 Elvin Brincefield, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on November 24, 1965:

ORDERED:

That the appeal for a variance from the provisions of Section 3301 of the Zoning Regulations requiring 900 square feet of land area per unit for conversion of dwelling into three unit apartment house at 1403 New Jersey Ave. N.W., lot 818, square W-553, be denied.

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

(1) Appellant's lot has a frontage of 17 feet on New Jersey Avenue and extends back 51 feet at its northern boundary and approximately 40 feet at its southern boundary. The lot contains an area of only 840 square feet of land whereas regulations require an area of 2700 square feet to convert into three units.

(2) The property is improved with a basement and two story building in which appellant desires to convert into one apartment on each floor.

(3) There was no objection to the granting of this appeal registered at the public hearing.

OPINION:

It is our opinion that appellant has failed to prove a case of hardship within the provisions of Section 8207.11 of the Zoning Regulations as the lot in question is extremely small having only 840 square feet which is 1860 square feet shy of meeting regulation requirements. We feel that the lot is entirely too small in area to accommodate three families and for this reason relief cannot be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map.