Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- December 15, 1965

Appeal #8485 J. C. Bostwick, appellant

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered at a meeting of the Board of March 4, 1966.

ORDERED: Effective Date of Order - March 24, 1966

That the appeal for a variance from the provisions of Section 3301.1 of the Zoning Regulations requiring 900 square feet of land area per unit in conversion of premises 1649 Newton St., N. W. to a three-unit apartment house and for a variance from the provisions of Section 72021.of the Zoning Regulations to permit waiver of one off-street parking space; and for a variance from the provisions of Section 3301.1 to convert premises 1663 Newton St. N. W., into a four-unit apartment, lots 709 and 817, square 2621, be granted.

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

1. Appellant's lot 709 has a frontage of 17 feet on Newton Street and a depth of 116 feet. The lot contains 2026 square feet of land. Appellant's lot 817 has a frontage of 20.76 feet on Newton Street and a depth of 83.6 feet. The lot contains 2015 square feet of land.

2. Lot 709 is improved with a three-story building with basement in which there is existing three family inits. Lot 817 is improved with a three-story building with basement in which there is existing four family units. Appellant became the owner of both properties on June 24, 1965.

3. Appellant's buildings are row brick buildings.

4. Lot 709 contains 2026 square feet of land whereas the Zoning Regulations for the R-4 District requires 2700 square feet of land in order to convert to three units.

5. Lot 817 contains 2015 square fet of land whereas the Zoning Regulations for the R-4 District requires 3600 square feet of land in order to convert to four units.

6. There was no objection to the granting of this appeal registered at the public hearing.

OPINION:

We are of the opinion that appellant has proven a shardship within the provisions of the variance clause of the statute, and that a denial of the request will result in peculiar and exceptional practical difficulties and an undue hardship upon the owner.

We are further of the opinion that this relief can be granted without substantial detriment to the public good and without substantially imparing the intent, purpose, and integrity of the zoning plan as embodied in the Zoning Regulations and Map.