

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- June 15, 1966

Appeal No. 8792 Martin A. Dempf, appellant

The Zoning Administrator of the District of Columbia, appellee

On motion duly made, seconded and unanimously carried, the following Order was entered by the Board at its meeting on June 22, 1966.

EFFECTIVE DATE OF ORDER: August 24, 1966

ORDERED:

That the appeal for variance from the provisions of Section 3301.1 requiring 900 sq. feet per unit in conversion of building into three (3) apartments at #13 - 4th Street, N.E., lot 813, Square 816, be granted.

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

(1) Appellant's lot has a frontage of 20.1 feet on 4th Street, N.E., a depth of 105 feet, and an area of 2110 square feet.

(2) The lot is improved with a two-story brick row dwelling with basement. There is a 20 X 20 foot carriage house in the rear of the lot abutting a 10 foot public alley.

(3) Appellant states that the dwelling has been used as apartments for over 20 years. Appellant inherited the property and has lived on the premises for four years.

(4) The house has one apartment on the first floor and two apartments on the second floor. There is no apartment in the basement.

(5) The Capitol Hill Restoration Society favors the granting of this appeal.

(6) No opposition to this appeal was registered at the public hearing.

(7) Appellant's lot lacks 590 feet less of the 2700 square feet of land necessary to convert to three apartment units under the Zoning Regulations.

OPINION:

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Regulations and that a denial of the request will result in peculiar and exceptional practical difficulties and 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 impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.