

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- July 13, 1966

Appeal No. 8842 Tommy C. Ishee et ux, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on July 18, 1966.

EFFECTIVE DATE OF ORDER -- August 12, 1966

ORDERED:

That the appeal for a variance from the minimum lot area requirements of the R-4 District to permit erection of three single family row dwellings at 149 D Street, SE., lot 848 and 849, square 734, be granted.

FINDINGS OF FACT:

(1) Present lot 848 has a frontage of 48.17 feet on D Street, SE. and a depth of 85 feet at the east lot line and a depth of 99.01 feet at the west lot line; the rear lot line being 66.1 and 1/2 feet. The lot contains 4,384 square feet of land. Lot 849 has an 8 foot frontage on D Street and a depth of 99.01 feet. The lot contains 784 square feet of land.

(2) Appellant proposes to subdivide the two lots into three lots and erect thereon three single family row houses.

(3) Each of the new lots would have a frontage of 18.723 feet on D Street. Their depths would vary, being 89.67, 94.34, and 99.01 feet. The lots would contain 1,635.247, 1,722.667, and 1,810.087 square feet respectively.

(4) Appellant states that all of the lots in the eastern half of the square fail to meet the minimum area requirements of the R-4 District. The new lots will have street frontages exceeding all of the existing lots in square 734.

(5) Under Section 3301 of the Zoning Regulations, row dwellings in the R-4 District are required to be built on lots having a minimum width of 18 feet and a minimum lot area of 1,800 square feet. Thus, appellants new lots exceed the minimum lot frontage and one lot will exceed the lot area requirements by 10.087 square feet. The remaining two lots are deficient in lot area requirements by 164.753 and 77.333 square feet.

(6) Off street parking will be provided for the new dwellings on the lot.

(7) The facades of the new houses will be modified Federal architects in conformity with existing historic homes and recently built or remodeled homes on Capitol Hill.

(8) The Capitol Hill Restoration Society and the Capitol Hill Southeast Citizens Association favor the granting of this appeal.

(9) No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

The Board of Zoning Adjustment is of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations, and that refusal to grant the relief requested will prevent a reasonable use of the property as zoned. Granting of this appeal will not adversely affect the use of neighboring property nor impair the intent, purpose and integrity of the zone plan.

Although appellants' lots deviate from the requirements for lots in the R-4 District, the Board concludes that the granting of this appeal would not be detrimental to the surrounding area as appellants' lots are more consistent with the Regulations than the majority of the existing improved lots in the area.