Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- September 14, 1966

Appeal No. 8899 J. B. Martin, appellant.

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 September 20, 1966.

EFFECTIVE DATE OF ORDER -- Nov. 23, 1966

ORDERED:

That the appeal for a variance from the provisions of Section 3301 requiring 900 square feet per unit in conversion of building into 3-unit apartment at 127 - 4th Street, SE., lot 51, square 788, be granted.

FINDINGS OF FACT:

(1) Appellant's property is located in an R-4 District.

(2) The subject lot has a frontage of 14 feet on 4th Street and a depth of 90 feet. The lot contains approximately 1,280 square feet.

(3) The lot is improved with a three story brick row dwelling with basement.

(4) Appellant testified that the building has been used as a four (4) unit apartment building for the last ten years or more without an occupancy permit.

(5) Appellant proposes to use the building as a three unit apartment, one unit comprising the basement and the first floor and one unit being on each of the other two floors.

(6) The size of the lot is less than required by the Zoning Regulations in the R-4 District, which requires 2,700 square feet of land in order to convert to three apartment units.

(7) No opposition to the granting of this appeal was registered at the public hearing. The Capitol Hill Southeast Citizens Association and the Capitol Hill Restoration Society favor the granting of this appeal. The Capitol Hill Community Council, Inc. opposes the granting of this appeal.

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 the requested 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.

Reference is made to the Opinion of the Board forming part of the Order in Appeal No. 8631 for a statement of the reasons of the Board for granting of this and similar appeals.