

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- June 14, 1967

Appeal No. 9231          Gunner Flake, 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 June 20, 1967.

EFFECTIVE DATE OF ORDER - July 28, 1967

ORDERED:

That the appeal for a variance from the provisions of Section 3301 requiring 900 square feet per unit in conversion of building into 4-unit apartment and for variance from the provisions of Section 7201.3 to permit waiver of one parking space and Section 7205.22 to park less than 10 feet from building at 508 A Street, NE., lot 21, square 839, be partially granted.

FINDINGS OF FACT:

- [1] The subject property is located in an R-4 District.
- [2] The site is improved with a three-story and basement brick row structure. It has been fixed to contain four apartment units. No certificate of occupancy was ever acquired.
- [3] The property has a frontage of 19.10 feet on A Street, NE., a depth of 70 feet, and contains 1,267 square feet.
- [4] Appellant desires to continue use of the subject premises as a four unit apartment building.
- [5] The size of the lot is less than required by the Zoning Regulations for the R-4 District, which requires 3,600 square feet of land in order to convert to four apartment units.
- [6] Under the Zoning Regulations appellant is required to provide two off-street parking spaces for a four unit apartment building.

[7] The site can provide one parking space at the rear of the building.

[8] No opposition to the granting of this appeal was registered at the public hearing. The Capitol Hill Restoration Society opposes this appeal. The Capital Hill Southeast Citizens Association supports 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. However, we do not believe the hardship supports the approval of a four unit apartment building. We approve a three-unit building, with one unit on each floor, no apartment unit in the basement. Inasmuch as there is only three units involved, the waiver of one parking space is not necessary.

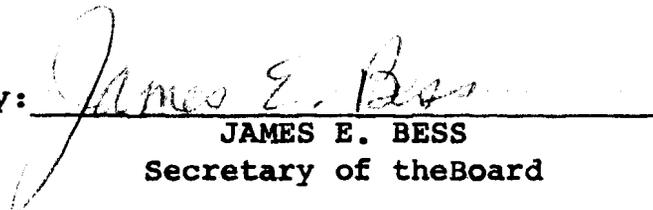
We believe the requested variances can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

In our opinion forming part of the Order in Appeal No. 8631, we set forth our reasons for granting appeals of this kind. Our statement applies equally to this case.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:

  
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JAMES E. BESS  
Secretary of the Board