Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - March 20, 1968

Appeal No. 9467 W. Owen Hohenstein, 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 March 26, 1968.

ORDERED:

That the appeal for variance of the side yard and lot occupancy requirements of the R-4 District to permit 2-story rear addition at 645 South Carolina Avenue, S.E., lot 825, Square 876, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.

2. The property is now improved with a 3-story brick structure with basement.

3. By letter dated January 12, 1968, (BZA Exhibit No. 9) the appellant requested that the appeal be withdrawn.

4. By letter dated February 8, 1968, (BZA Exhibit No. 13) the appellant stated:

"After discussions with Mrs. Mauss, resident at 647 South Carolina Avenue, S.E., I find it will be necessary to go forward with my request for a zoning variance of the side yard and lot occupancy requirements for 645 South Carolina Avenue, S.E., lot 825, Square 876. I therefore request that you reactivate my case (No. 9467) for hearing at the 20 March 1968 meeting of the Board."

5. The request was granted by the Board and advertised and set down for public hearing.

6. Appellant states that the property has been unoccupied for a period of two years and on the market for a longer period.

7. The house now has a semi-detached status inasmuch as there is a three-foot walkway along one lot line.

8. It is proposed to continue this walkway back and construct a 2-story rear addition.

9. Appellant asserts that the variance should be granted because:

(a) The restoration will be an asset to the community and will increase the value of the neighboring houses;

(b) The house is an uneconomic restoration without the addition of more space;

(c) A semi-detached restoration (made possible by the variances) is more desirable than the row house alternative.

10. As a row dwelling, appellant would be allowed a lot coverage of 60 percent under the Zoning Regulations. The house will cover approximately 44 percent of the lot but the technical lot occupancy will be 51 percent.

11. The Capitol Hill Restoration Society supports the granting of this appeal.

12. The record contains seven letters in opposition to the granting of this appeal and a petition containing twenty-six signatures expressing opposition to the granting of this appeal.

13. By letter dated March 18, 1968 (BZA Exhibit No. 20) Mr. John F. Donahue of Hohenstein Bros. and Donahue, Inc., Realtors, stated the opinion that "the restoration will in no way adversely affect the Fair Market Values of the properties fronting on both the north and south sides of South Carolina Avenue in this block." By letter dated March 13, 1968 (BZA Exhibit No. 21) Mr. H. S. Bogan, Jr., President of Beau Bogan, Inc., Capitol Hill Real Estate, stated: "It is my professional opinion that the restoration of this property, including the addition of the rear wing, will not adversely affect the value of adjacent properties. On the contrary, I believe the restoration of this house will increase the values of the surrounding houses."

OPINION:

We are of the opinion that the appellant has shown a hardship sufficient to support a variance from the strict application of the zoning regulations. It is clear that the appellant could build a row dwelling by attaching to the existing structure side of the three-foot walkway. Since it is the desire to maintain the walkway, the house becomes semi-detached. We believe that the restoration of this structure will be within the purpose of the zoning regulations.

Further, the proposed addition to this structure and the use will be in harmony with the intent and purposes of the zoning regulations and will have no adverse affect upon nearby and adjoining properties.

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

ATTESTED:

By: James E. Bess
JAMES E. BESS
Secretary of the Board

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THIS ORDER.