

PUBLIC HEARING--November 25, 1964

Appeal #7999 Andrew M. Saul, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on February 9, 1965.

ORDERED:

That the appeal for a variance from the FAR requirements of the R-5-A District to permit erection of an apartment building with an FAR of 1.58; for a variance from the story limitation requirements of the R-5-A to permit a six-story apartment building, and to permit erection of roof structures in accordance with Section 3308 of the Zoning Regulations between 2731 and 2745 Ordway Street, N.W., lot 13, square 2222, be granted.

As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lot, which is located in the R-5-A District, is irregular in shape, contains an area of 31,454.94 square feet of land, and as shown by the topographical map submitted indicates a high of 210 feet at Ordway Street to a low of 140 feet at Porter Street. Appellant proposes to erect an apartment building containing 1 efficiency, 23 one-bedroom and 22 - two-bedroom apartments, with an FAR of 1.58 being 0.68 FAR in excess of maximum bulk for the R-5-A District.

(2) Testimony of a builder employed by the owner is to the effect that after a study of the site and from bids submitted on the basis of complete plans prepared by an architect for the erection of a three-story apartment building with an FAR of 0.9, it would not be economically feasible to build due to added cost per unit resulting from the severe topographic conditions and the adverse sub-soil conditions of the site. He testified also that extensive retaining walls would add considerably to the cost. His conclusion was that the difference in cost of a three-story wood joist type construction on land free of adverse conditions, as compared to the type of construction proposed, would raise the cost of construction approximately \$2,200.00 per unit above normal.

He further testified that the improvement of the site by a building containing a 1.58 FAR, containing 46 units and 46 parking spaces, which is an increase of 16 units above the 30 unit originally proposed, would make this project economically feasible. He stated that the added foundation cost for the project totals approximately \$66,818.90 and when spread over a 46 unit building makes it feasible.

(3) The architect for this project stated that the added construction costs, due to adverse topographic conditions, the poor soil bearing qualities requiring caisson construction, and other added costs resulted in a per unit cost of \$13,500 which is prohibitively high.

(4) A cost analysis prepared by the architect and the builder showed a value of land for level normal lot (1000 square feet per unit) at \$3,000, and the value of applicant's site if level normal lot (28 unit x 3000 .9 FAR = \$84,000. It is contended that the cost to correct the unusual hardships inherent in this property would amount to \$66,818.90.

(5) A statement submitted by an engineering corporation showed that the excavation, concrete footings and masonry on a normal lot, would amount to \$10,201.00, whereas for excavation, shoring, caissons, beams, retaining walls and special planting and pegged sod for a 30 unit building on the property under consideration would amount to \$77,019.90 or a difference of \$66,818.90.

(6) There was no objection to the granting of this appeal registered at the public hearing.

OPINION:

The foregoing findings of fact, in the opinion of the Board, conclusively prove that a hardship in fact exists; that the amount of excess bulk needed to justify the investment in the building is not unreasonable, and that construction of the building as planned will not prove inharmonious with the intent, purpose and integrity of the zone plan as embodied in the maps and regulations.

The Board is also of the opinion that the enclosure on the roof of this proposed apartment building for service equipment will harmonize with the main structure in architectural character, material and color.