

PUBLIC HEARING -- July 14, 1965

Appeal #8289 Park Southern Co., appellant

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Messrs. Harps and Davis dissenting, the following Order was entered on July 14, 1965:

ORDERED:

That the appeal for a variance from the FAR requirements of the R-5-A District to permit an FAR of 0.94 for the erection of ten row apartments at 800 Southern Avenue, S. E., lot 38, square 6210, be denied.

From the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) The subject property contains approximately 327,601 square feet with substantial frontage on Southern Avenue. Appellant is now developing the site with apartment units under Section 221 (d) of the National Housing Act.

(2) Appellant requests an increase in FAR to 0.94 to permit construction of two additional buildings each containing five apartment units of approximately 1600 square feet and bases his hardship on the adverse grade conditions existing on the subject site as well as added cost for retaining walls and a bridge. He further contends that no adjacent or nearby property will be harmed by the proposed construction.

(3) Exhibit #3 is a topographic survey and grading plan showing the grade conditions on the site which indicates at the northernmost corner the elevation is approximately 60 feet and at the southernmost corner it is 100 feet, which makes a differential in grade of approximately 40 feet. The same is true in the east-west direction where there is a difference in elevation of approximately 20 feet. This plan also indicates location of retaining walls and bridge which were necessary due to grade conditions.

(4) Exhibit #4 is a site plan showing location of buildings under construction, off-street parking provided and proposed location of the ten "town house" type apartment units. This exhibit also indicates that appellant proposes to erect five five-bedroom houses; five two-bedroom apartments and five one-bedroom flats for a total of 15. It also indicates an additional 16,000 square feet of gross floor area requested for an FAR of .9400.

(5) Exhibit #5 is an itemized statement showing added construction costs because of topography which totals \$70,000.00 for retaining walls and concrete walls forming sides of the bridge constructed, concrete floor constructed beneath the bridge as part of the parking garage and concrete top of bridge, waterproofing, etc, not including landscaping.

(6) The appellant stated that as a result of construction economics in the

original project they had not spent all of the money authorized by H.H.F.A. They now wish to use this surplus money to construct the additional units. As a result of the additional units and the fixed return nature of the H.H.F.A. loan, savings would be passed on to the tenants in the form of lower monthly rents.

(7) Exhibit #7 is a series of photographs showing the subject property and its present state of development as well as surrounding properties.

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

OPINION:

In the opinion of the Board the applicant does not have a hardship within the meaning of Section 8207.11 of the Zoning Regulations. The applicant has been able to obtain financing and can construct the project within the allowable FAR at a saving in cost over that which was estimated for Government loan purposes. Due to the nature of the financing appellant desires to build additional units and thus reduce the per unit rent the tenants would be required to pay. It is clear to the Board that the only hardship would be a financial one to be borne by the tenants since the rents will be geared to the number of units related to the total cost of the project.

In conclusion the Board is of the opinion that if this request were granted it would only bring about an over-crowding of the site to the detriment of the tenants and the neighborhood, and it would be far better to spend the surplus funds on site improvements which would benefit the tenants and the neighborhood.

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING—Nov. 17, 1965

REHEARING:

Appeal #8289 Park Southern Company, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on November 17, 1965:

ORDERED:

That the withdrawa, of the rehearing of appeal for a variance from the FAR requirements of the R-5-A District to permit an FAR of 0.94 for the erection of ten row apartments at 800 Southern Avenue, S.E., lot 38, square 6210, be accepted without prejudice against refiling at any time.