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25 July 2002

D.C. Office of Zoning
Board of Zoning Adjustment

D.C. OFFICE OF ZONING
2002 JUL 27 PM 4:44

PLEASE ADD TO FILE NUMBER 16919 (hearing scheduled for October 1, 2002)

RE: 4517 Georgia Avenue Proposed Project

Dear Sir or Madam:

I was informed by Mr. Mordfin of the D.C. Office of Planning to submit an additional memorandum regarding Subsection 3103.2.

We are pleased to provide that information, and have prepared the attached memorandum. Also, we have requested Councilmember Adrian Fenty and the ANC 4C, who are aware of the project, to send a letter to your attention.

Thank you for your time and consideration.

Very truly yours,

Mike Meier

Attachment: Section 3103.2 memorandum

BZA
Case No. 16919
Exhibit No. 20

Board of Zoning Adjustment
District of Columbia
CASE NO.16919
EXHIBIT NO.20

#10719

MEMORANDUM

RE: Application to the Board of Zoning Adjustment regarding 4517 Georgia Avenue, N.W.

"Explanation Pursuant to Subsection 3103.2 regarding the exceptional circumstances of this case."

This memorandum provides an explanation pursuant to Subsection 3103.2 for the lot 4517 Georgia Avenue, N.W.

The Provision has 3 prongs:

(1) The physical characteristics of the property: a. make it difficult for the owner to use the property in compliance with the zoning regulations, b. create financial hardship for the owner in using the property consistent with the Zoning Regulations.

(2) Granting the application will not be of substantial detriment to the public good - i.e. traffic, noise, etc.

(3) Granting the application will not be inconsistent with the general intent and purpose of the Zoning Regulations and Map.

Here are our comments on each of the three prongs:

(1) The physical characteristics of the property: a. make it difficult for the owner to use the property in compliance with the zoning regulations, b. create financial hardship for the owner in using the property consistent with the Zoning Regulations.

The main problem, and probably the main reason why the lot has been abandoned for so long, is that the market values of the surrounding properties are such that it would be difficult to build a new regular home.

Basically, if one were to build a single-family residence, the cost of construction would be more than the market value of the residence once it is completed.

As an example, we are attaching the most recent D.C. Property Record for the house immediately adjacent to 4517 Georgia Avenue, namely 4519 Georgia Avenue. It is a single family home, and the D.C. market value for tax purposes is set at $108,051. The lot size is approximately the same as 4517 Georgia Avenue. Even considering that the D.C. tax assessments tend to be somewhat below the true market value, it shows the relatively low value of single family residences in that area.

It is impossible to build a decent home for less than approximately $200,000. In addition, the lot at 4517 Georgia has the problems that:

- There is still a basement from the original house that once occupied the lot. It will increase construction costs substantially to remove the remainder of the basement, which was filled with dirt; and

- The lot requires all new utility lines, which must be put into the ground from Georgia Avenue, underneath the retainer wall, up the slope, to the new building. This also will create substantial additional expenses.

One would presumably end up with a building whose total cost would be more than the market value. Therefore, noboby had wanted to build a single family home on that particular lot.

However, with a 5-unit building, the additional construction costs can be divided among 5 units, and will thus constitute less of a burden on each.

Another reason why nobody has wanted to build a single family home may be because, looking at the lot from Georgia Avenue, there is an apartment to the right, and to the left is the residence at 4519 Georgia whose entire rear yard is occupied by a large garage.

Thus, this lot is not very attractive for a smaller building that will be dwarfed by the apartment building on the right and the almost completely occupied lot on the left.

If we were permitted to build the proposed 5-unit building on the lot at 4517 Georgia Avenue, it would be less affected by these circumstances, because it will be a slightly larger building that visually matches the apartment building as well as the residence with the large garage.

(2) Granting the application will not be of substantial detriment to the public good - i.e. traffic, noise, etc.

Since there are only 5 units in the proposed building, the traffic impact should be minimal.

The proposed building will occupy a desolate and long-abandoned lot that is basically a dumpster and haven for illicit drug activity. We will make an utmost effort to clean up the lot and surrounding areas;

The building will be attractive and built according to the highest architectural and construction standards. For example, the walls will be solid masonry, and the floors will be concrete;

We will make an utmost effort to make improvements not only on the lot, but also nearby. For example, we have already removed two large dead trees that represented a hazard because they could have fallen on the sidewalk and Georgia Avenue. Also, we have made an inventory of all missing trees in the surrounding blocks, and have notified DC Trees and Landscaping to please replace them. We have contacted the contractor in charge of trees along Georgia Avenue, and made requests to replace all missing tress in the 4200-4700 blocks of Georgia Avenue. Finally, we have requested DC to remove all abandoned vehicles there, including in the alley behind, which is a breeding ground for rats.

(3) Granting the application will not be inconsistent with the general intent and purpose of the Zoning Regulations and Map.

We are complying with all legally required set-backs (for example, 8 feet on each side from the property line, 20 feet in the back). In addition, we are providing at least 4 parking spaces, which is more than required by the zoning regulations.

The proposed building will match the existing apartment building next door in terms of height and set-backs. Our intention is to have the proposed building "fit in" with the existing buildings.

Thank you for your consideration of our request!

ATTACHMENT: Tax Assessment of neighboring property, showing relatively low property values that would make it difficult to build a reasonable smaller building