

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- February 21, 1973

Application No. 11270 Shoreham Association, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried by a vote of 3-0, the following Order of the Board was entered at the meeting of March 20, 1973.

EFFECTIVE DATE OF ORDER -- April 11, 1973

ORDERED:

That the application for variance from the open court width requirements to permit erection of twelve (12) story exit stair in the existing open court at 806 15th Street, N. W., Lot 800, Square 219, be GRANTED.

FINDINGS OF FACT:

1. Subject property is located in a C-4 District which is defined by the Zoning Regulations as a central business district, which comprises the retail and office centers for both the District of Columbia and the entire metropolitan area .
2. At the present time the property is being utilized for offices and retail commercial uses; the proposal merely desires to construct an egress fire-stair in an existing open court, reducing the width of the open court.
3. The existing building, the Shoreham Building, was constructed prior to the present building codes and there is only one exit.
4. The purpose of the application herein, is to proceed to build an exit stair within the existing court of the building and a variance from the open court requirements is needed in order to construct the additional exit.
5. Applicant also related to the Board that to comply with the city's minimum code and safety standards at least two stairs as a means of egress should be provided.
6. Pursuant to Section 5305.1 of the Zoning Regulations an open court variance of 3.40 feet as the minimum open court width required is 20.53 feet, whereas 17.13 feet has been provided.
7. Opposition was voiced at the public hearing against the application herein, however, no letters in opposition were submitted to the file for the Board's consideration.

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OPINION:

The Board has reviewed the entire record submitted in the application herein and has determined that substantial reasons warranting the granting of this petition have been presented.

Needless to say we are extremely sensitive to what the Fire Department considers necessary for the safety of persons frequenting the subject building. In order for the owner to come within compliance with the regulations of the Fire Department, he is in need of relief from this Board in the form of a variance. We now GRANT this variance.

We are of the opinion that the appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief 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.

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

ATTESTED

By: _____

GEORGE A. GROGAN
Secretary of the Board

THAT 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 DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.