

9. The subject property has been selected to locate the proposed antenna because of the following factors:

- a) The site is close to the center of the business market-place which it will serve.
- b) The subject building is thoroughly equipped with telephone cable facilities to provide final connections to the local customers.
- c) A location within the subject building provides necessary telephone demodulation facilities for the particular service mode.
- d) The elevation and logidity of the subject building is favorable.
- e) The roof structure supporting the proposed antenna provides additional elevation and is structurally sound.

10. Opposition to the application was stated at Public Hearing by a citizen owning property at 1312 - 21st Street on the basis that approval would increase pressure for higher density commercial buildings.

11. Further opposition to the application was received by the Board in the form of a letter from the Dupont Circle Citizens Association dated and received March 26, 1975 stating its opposition but no explanation.

CONCLUSIONS OF LAW:

Upon consideration of the above findings of fact and the record the Board concludes that pursuant to Section 8207.2 of the Zoning Regulations the special exception to permit an 18.83 foot microwave antenna to be erected on top of the existing roof structure of the subject property will be in harmony with the general purpose and intent of the Zoning Regulations. The Board further concludes that approval of this special exception will not adversely affect the use of neighboring property.

ORDERED: It is hereby ordered that the above application be GRANTED.

VOTE: 4-1 (Lilla Burt Cummings, Esquire dissenting).

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

ATTESTED BY:   
JAMES E. MILLER,  
Secretary to the Board

FINAL DATE OF ORDER: JUN 09 1975

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX ONTHS 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.

Before the Board of Zoning Adjustment, D. C.

Application No. 11857, of 1801 K Street Holdings, General Partnership, pursuant to Section 8207.2 of the Zoning Regulations for a special exception to permit the erection of a microwave antenna and supporting tower on top of the existing penthouse, as provided by Section 5306 of the Regulations, in the C-4 zone, at the premise 1801 K Street, N. W., known as Lot 75, Square 107.

HEARING DATE: March 31, 1975

DECISION DATE: April 22, 1975

FINDINGS OF FACT:

1. Applicant proposes to erect a microwave antenna and supporting tower on top of an existing roof structure at the premises located in the C-4 zone.

2. The subject property extends south to K Street, north to L Street and east to 18th Street, N. W.

3. Applicant intends to lease the proposed antenna to Southern Pacific Communications, a registered specialized common carrier setting up a microwave communication data telepathy system for private business use.

4. The proposed antenna will serve as a southern terminal in completing a line of communication between Washington, D. C. and New York and Washington, D. C. and Cleveland, Ohio. The facility will serve numerous businesses in Washington, D. C.

5. The Board of Zoning Adjustment in Order 9569-71, issued November 28, 1968, granted an excess height approval for the subject property in the amount of 25.78 feet.

6. The testimony of Applicant and a memorandum by the Zoning Division of the Department of Economic Development dated December 17, 1974 state the following computations:

- a) Height of a building permitted in the C-4 zone - 130 feet.
- b) Height of subject property from the curb to the top of the existing penthouse - 155.78 feet.
- c) Height of the proposed microwave antenna above the existing penthouse - 18.88 feet.
- d) Height from the curb of subject property to the top of the proposed antenna - 174.61 feet.

7. The proposed antenna is permitted as a matter of right on the roof of the subject property.

8. Applicant seeks the highest point of the subject property to locate the proposed antenna in order to take advantage of the line of sight.