

Before the Board of Zoning Adjustment, D. C.

Application No 11904, of Victor H. Kramer and G. Duane Vieth, Trustees, pursuant to Section 8207.2 of the Zoning Regulations, for special exceptions to permit construction of an SP Office Building, and approval of roof structure as provided by Section 4101.42, 4306 and 3308 of the regulations, at the premises 19th and N Streets, N. W., known as Lots 1, 2, 3, 4, 5, 8, 800, 801, and 818, Square 115.

HEARING DATE: June 18, 1975

DECISION DATE : August 6, 1975

FINDINGS OF FACT:

1. Applicant proposes to erect an office building in the SP Zone. The building will be occupied solely by a law firm and those persons customarily accessory to a law office. Seven (7) of the total eight (8) floors will be initially occupied by the law firm with the eight (8th) floor reserved for expansion.

2. Applicants presently locate the law firm on the same property but in a number of rowhouses. A portion of said rowhouses will be demolished, excluding a landmark row building owned by the firm, to allow room for construction of the proposed office building.

3. The roof structure to be located on the subject office building will contain mechanical equipment, stairs and elevator equipment .

4. The Zoning Services Division of the Municipal Planning Office recommended approval of the roof structure in its written report dated April 30, 1975 and in subsequent testimony at public hearing. The facade of both the roof structure and the building will be brick and grey glass. The 5,811 square feet area of the roof structure is well within the maximum floor area ratio permitted by the Zoning Regulations of 6,445 square feet and does not exceed one-third (1/3) roof coverage.

5. The proposed building is designed so as to relate to and harmonize with existing buildings surrounding the property in proportion, height and facade .

6. The Department of Highways and Traffic report dated

June 12, 1975 stated no objection to the application but observed that although the proposed twenty (20) feet loading berth meets the Zoning Regulations, most delivery trucks are longer and would therefore block the alley. The report further states the applicant's agreement to have delivery trucks long enough to block the alley **load** from the street.

7. Dupont Circle Citizens Association testified at public hearing to oppose the application on the basis that the distinctive architectural design on the existing rowhouse give a form of heritage which will be deprived by the proposed high-rise. The opposition was also directed to detrimental impact of a high-rise on the volume of traffic, noise and air pollution, and the threat of high-rise structures infiltrating into residential communities.

8. Two (2) other property owners in the neighborhood expressed their opposition to the application by letter stating the desirability of preserving townhouses in a basically residential area rather than replace them with a high-rise resulting in more traffic congestion, less parking for residents, pollution and other symptoms of overcrowding.

9. Testimony at public hearing by Washington Services, a group of property owners in the west end of Washington, supported the application. Letters from the North Dupont Community Association and DTID, Inc. (formerly Don't Tear It Down) supported the application as did letters from two (2) property owners in the neighborhood stating that the SP use was as intended by the Zoning Regulations and is in harmony with the neighborhood. The letters emphasized the desirability of a greater mix of scale to change the area away from the existing low-rise structures. Support was also directed to the quality design of the building scaled back from the street with height and density placed toward the center of the block.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact and the evidence of record the Board finds that the proposed roof structure meets the requirements of Section **3308** and 4306 of the Zoning Regulations. The facade of the roof structure harmonizes with both the facade of the proposed building and the existing buildings surrounding it. The F.A.R. is **well** within the maximum permitted F.A.R. and approval of this roof structure is in harmony with the general purpose and intent of the Zoning Regulations.

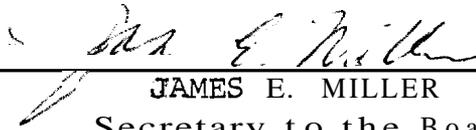
Applicants' proposed office building to be occupied solely by lawers and accessory staff is within the intended use for the SP Zone and is in harmony with existing uses on neighboring property. The proposed office building will accumulate under one roof the persons now working in the rowhouses on the subject property and there will be no new dangerous traffic conditions created by the change of structures. Both the use and design of the proposed office building are in harmony with the Zoning Regulations and will not tend to adversely affect the neighboring property.

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

VOTE : 3-1-0 (Lilla Burt Cummings, Esq., dissenting and Walter B. Lewis not voting after not having heard the case).

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

ATTESTED By:



JAMES E. MILLER

Secretary to the Board

FINAL DATE OF ORDER:

10/10/75

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 **HOUSING AND** COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX **MONTHS** AFTER THE EFFECTIVE DATE OF THIS ORDER.