

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12667, of Embassy Row Hotel, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the lot occupancy (Sub-section 3303.1) and floor area ratio (Sub-section 3302.1) requirements to permit an addition to a hotel, in an R-5-D District at the premises 2015 Massachusetts Avenue, N. W., (Square 94, Lot 31).

HEARING DATE: May 24, 1978

DECISION DATE: July 5, 1978

FINDINGS OF FACT:

1. The Embassy Row Hotel is located in the R-5-D District on the north side of Massachusetts Avenue, N. W. between 20th and 21st Streets and is known as 2015 Massachusetts Avenue, N. W.
2. Lot 31 (approximately 16,544 square feet in area) is a through lot abutting both Massachusetts Avenue and Que Streets, N. W. Adjacent to this property on the east is a group of large three story and four story structures. Adjacent on the west are similar three and four story structures. Some of the buildings in this block are devoted to residential use while others are devoted to diplomatic and institutional uses. Also located in this square is the Embassy of Columbia, the Union of American Hebrew Congregations, the Embassy of Indonesia, the National Federation of Business and Professional Women's Foundation, the American Home Economic's Association and other office uses.
3. To the east of the site is located an SP District. This district extends from Que Street southward to "R" Street and west to Dupont Circle. An R-5-B District is found north of Que Street. Connecticut Avenue from "T" Street south to Dupont Circle is zoned C-3-B.
4. The applicant proposes to enclose a 2473 square foot closed court with a sky lighted roof structure. The enclosure will be approximately twenty-two feet high at its ridge line. The proposed area is called the atrium area. The area is surrounded on one side of the building with aluminum glass. The sky lighted roof is proposed for the second floor instead of at a higher level because of the sound effect that is created by the aluminum glass. This effect is the bouncing

of all activity sounds in the atrium off the glass windows. This effect would be detrimental to the guests residing in rooms surrounding the atrium.

5. Because the atrium is an open area it is subject to the prevailing weather conditions out side and this condition limits the applicant from using it in all seasons. In its present configuration the court is difficult to maintain, adds to the hotel's heating and cooling costs and causes water leakage problems. In addition, the proposed enclosure will allow for the expansion of the Cafe Jardin. The Cafe Jardin presently has a seating capacity of fifty-seven. The proposed enclosure will increase this capacity to 137.

6. The variance required for lot occupancy is 2,548.80 square feet and 2,226 square feet for floor area ratio.

7. The maximum allowable F.A.R. is 6.0 in an R-5-D District. The proposed variance will raise the hotel's F.A.R. to approximately 6.1.

8. In Board of Zoning Adjustment Case No. 9646, dated June 19, 1968, the Board granted a variance from the open court provisions of the Zoning Regulations.

9. By BZA Order No. 9752, dated September 18, 1968, the Board granted the roof structure of the Embassy Row Hotel.

10. By BZA Order No. 12181, dated September 21, 1976 the Board granted permission for the applicant to lease nine garage parking spaces on a commercial basis.

11. In a report dated May 19, 1978 the Municipal Planning Office recommended the granting of the application on the grounds that the approval of the application will not have an adverse impact on the neighborhood, abutting properties or future development of the neighborhood. In addition the enclosing of the subject space will allow for correction of water leakage problems and conservation of fossil energys. The Board so finds.

12. The Dupont Circle Citizens Association was opposed to the application on the grounds that the alleged hardship was self imposed, the hotel has had too many variances granted by the BZA and that the application would further increase the F.A.R. for a hotel which presently has the highest allowable F.A.R. in an R-5-D District.

13. Advisory Neighborhood Commission 2-B supported the application with the condition that something be done to

beautify the rear of the building. The applicant agreed to meet with ANC 2-B and work out plans as to what can be done to beautify the rear of the building.

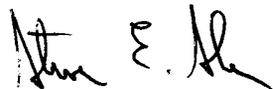
14. At the Board's public meeting held on May 31, 1978, the Board voted to grant the application, subject to the Board's review and approval of the applicant's final plan. At the public meeting held on July 5, 1978, the final plans (Exhibit 25) were reviewed by the Board and approved.

CONCLUSIONS OF LAW:

The requested variances are area variances, the granting of which requires a showing of a practical difficulty stemming from the property itself. The Board finds that the practical difficulty is inherent in the existing construction of the atrium. The present configuration of the court is difficult to maintain, creating a heating and air conditioning problem and water leakage problems. The Board is also aware that the opposition was not opposed to the greater social amenities the granting of the application would provide. The Board concludes that the denial of the application would result in peculiar and exceptional practical difficulties upon the owner of the property. The Board further concludes that in its discretion, the relief can be granted without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 5-0 (Chloethiel Woodard Smith, John G. Parsons, Charles R. Norris, William F. McIntosh and Leonard L. McCants to grant).

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

ATTESTED BY: 
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 1 AUG 1978

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.

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DECISION DATE: July 5, 1978

DISPOSITION: Application granted by a vote of 5-0 with conditions (Chloethiel Woodard Smith, John G. Parsons, Leonard L. McCants, William F. McIntosh and Charles R. Norris to GRANT).

FINAL DATE OF ORDER: August 1, 1978

ORDER

The applicant, at the request of the Board in the original proceeding, submitted plans for the enclosure of the interior court yard at the second floor level. The original plans, marked as Exhibit 25 of the record, showed a pyramid shaped roof, with one central skylight. Those plans were only preliminary concepts; upon development of detailed architectural and engineering drawings, the applicant determined that the original proposal was inappropriate, because of the high cost and extensive structural alterations necessary. The applicant modified the plans to incorporate smaller individual skylights, with a lower height and more glassed area. There plans were rejected by the Zoning Regulations Division, Department of Housing and Community Development as not in accordance with Exhibit 25. The applicant therefore requests approval of modified plans for the roof, marked as Exhibit 29 of the record.

The Board finds that the revised plans do not change the relief requested from the Board, that the courtyard and roof enclosure are not visible from the Street, and that all of the material facts which the Board relied on in granting the application are still relevant. It is therefore ORDERED that the revised set of plans submitted by the applicant, marked as Exhibit 29 of the record, are hereby approved and shall be substituted for those originally submitted to and approved by the Board, which are marked as Exhibit 25.

DECISION DATE: November 15, 1978

VOTE: 4-0 (Chloethiel Woodard Smith, William F. McIntosh
Leonard L. McCants and Charles R. Norris to APPROVE)

ATTESTED BY: 
STEVEN E. SHER
Executive Director

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

FINAL DATE OF ORDER: 15 NOV 1978