

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12715, of the National Corporation for Housing Partnership, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Sub-section 3308.2 to allow two roof structures on the same roof in the R-5-C District at the premises 2001 - 15th Street, N.W., (Square 204, Lot 207).

HEARING DATE: August 23 and September 27, 1978

DECISION DATE: October 4, 1978

DISPOSITION: The Board GRANTED the application by a vote of 5-0 (Walter B. Lewis, William F. McIntosh, Charles R. Norris, Chloethiel Woodard Smith and Leonard L. McCants to GRANT) subject to the CONDITION that the roof structure shall be enclosed with a light weight material similar in color to the facade of the building with enclosure plans to be approved by the Municipal Planning Office

FINAL DATE OF ORDER; October 18, 1978

ORDER

By letter dated October 25, 1978, the applicant requested the Board to reconsider its decision to impose the condition on the granting of the application. Section 5.45 of the Supplemental Rules of Practice and Procedure before the Board of Zoning Adjustment states that a motion for Reconsideration/Rehearing must be carried by four affirmative votes. At the public meeting held on December 6, 1978, a motion by Charles R. Norris, seconded by William F. McIntosh to grant the motion for Reconsideration failed for lack of four affirmative votes, by a vote of 3-2 (Charles R. Norris, William F. McIntosh and Leonard L. McCants to GRANT; Chloethiel Woodard Smith and Walter B. Lewis OPPOSED). The Board entered an Order dated December 11, 1978 DENYING the motion.

On the same day as the vote to deny the Reconsideration, Dr. Walter B. Lewis, a member of the Board, sua sponte requested the Board to reconsider the application again. The Board took up the matter at its public meeting held on February 28, 1979. On a motion made by Charles R. Norris, seconded by William F. McIntosh the Board determined that it had made an error in its decision to impose the condition and agreed to reconsider the case by a vote of 5-0 (Charles R. Norris, William F. McIntosh, Leonard L. McCants and Chloethiel Woodard Smith to reconsider, Walter B. Lewis to reconsider by proxy).

The Board finds that the roof structures as originally proposed and constructed by the applicant are not visible from the street. The Board finds that the elevator penthouse is located in the center of the building, and rises to a height of approximately seventeen feet, four inches above the level of the roof. The Board finds that the stairs at the south end of the building extend to the roof, with the penthouse approximately eight feet, eight inches above the level of the roof. The Board finds that the penthouses are enclosed with the same kind of material as the main structure. The Board finds that in order to comply with code requirements of the District of Columbia regarding means of egress, the stair towers are located as far as possible away from the elevator core, and the two penthouses on the roof are thus separated by more than seventy feet.

The Board concludes that the requirements to separate means of egress in residential buildings creates a practical operating difficulty to support the waiving by the Board of the requirement that all penthouses be in one enclosure. The Board concludes that the subject roof structures are not obstrusive architecturally or aesthetically and do not adversely affect the adjacent buildings by blocking light or air. The Board finally concludes that the above application as originally submitted will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in accordance with said Zoning Regulations and Maps. Accordingly, it is hereby ORDERED that the application be GRANTED WITHOUT ANY CONDITIONS as originally imposed by the Board.

VOTE: 5-0 (Charles R. Norris, Chloethiel Woodard Smith, William F. McIntosh and Leonard L. McCants to GRANT, Walter B. Lewis to GRANT by PROXY).

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

ATTESTED BY:

  
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STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 21 MAR 1979

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.