

6. The applicant now seeks the Board's permission not to enclose the three roof structures that accommodate the three banks of elevators and stair towers and to eliminate the nine balconies.

7. Due to the size and shape of the building, there are several stairways which extend to the roof in order to meet building code and fire safety requirements. The mechanical penthouse also requires a roof structure.

8. In order to comply with Sub-section 3308.2 of the Zoning Regulations, the applicant would be required to house all roof structures under one roof of uniform height. This would necessitate the construction of 640 linear feet of wall, sixteen feet eight inches high at a cost of \$300,000 to the applicant.

9. Under the applicant's plan, no use would be made of the additional enclosed space resulting from the required wall and roof.

10. The hotel contains a closed court which does not conform to the width requirements of Sub-section 3306.1. The width of a court is measured at the narrowest portion of such court. Because this court has a "Y" shapes formation, its narrowest point is a sharp angle which is less than the required width.

11. In order to comply with the zoning width requirements, the applicant had planned to install balconies upon the narrowest portion of the court and thus "square off" the sharp angle.

12. The hotel stated that its safety policy forbids the opening of any window more than four inches. This fact coupled with the absence of any entranceway to the planned balconies would render them inaccessible.

13. The existence of balconies within the court would decrease the amount of light and air within the court area.

14. The existence of balconies would impinge upon the privacy of guests in rooms adjoining the court.

15. Because of it's stated desires to maximize light and air within the court, to insure the privacy of its guests and to save itself the great expense of constructing non-functional balconies, the applicant seeks permission to delete the balconies from it's plans.

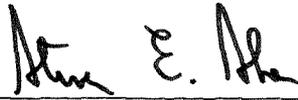
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Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 3-2 (William F. McIntosh and Chloethiel Woodard Smith  
to GRANT; Walter B. Lewis to GRANT by PROXY; Charles  
R. Norris and Leonard L. McCants OPPOSED).

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

ATTESTED BY:

  
\_\_\_\_\_  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 22 OCT 1979

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION  
OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING  
BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND  
PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER  
THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN  
APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OR OCCUPANCY IS  
FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPEC-  
TIONS.