

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12949, of Washington Sheraton Corporation, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Sub-section 3308.2 allowing more than one roof structure and a variance from the width requirements of a closed court (Sub-section 3306.1) for a hotel in the R-5-B and R-5-C Districts at the premises 2660 Woodley Road, N.W., (Square 2132, Lot 32).

HEARING DATE: June 13, 1979
DECISION DATE: August 8, 1979

FINDINGS OF FACT:

1. The subject property is located between Woodley Road and Calvert Street, west of 24th Street and Connecticut Avenue. The subject site contains sixteen acres and is occupied by the Sheraton Park Hotel. The subject hotel is known as 2660 Woodley Road, N.W., and is in an R-5-B and R-5-C District.

2. The Sheraton Park Hotel was originally built during World War I. In 1931, the Wardman Park Annex (Wardman Tower) was added to the hotel complex. Over the years there have been several additions to the hotel with the approval of the BZA.

3. In the summer of 1977 ground was broken for a new convention hotel to replace the original hotel building and its additions. The Wardman Tower and arcade, which the Joint Committee on Landmark has designated as Category II Historic Landmarks, will be preserved. The old Sheraton Park Hotel will be demolished when the new construction is completed. The new hotel will continue to contain 1,500 rooms as did the old hotel.

4. The planned redevelopment of the Sheraton Park Hotel is staged to occur in three phases. The requested special exception and variance relief is necessary in order to complete phase one of the redevelopment plan.

5. The plans, as filed with the Zoning Administrator, to construct the subject hotel required none of the reliefs now sought. All roof structures were enclosed to form a single penthouse. Provision was made for the installation of nine balconies within the court area so as to conform with the closed court requirements of the Zoning Regulations.

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.

16. Advisory Neighborhood Commission - 3C in its letter of June 25, 1979, recommended that the variance be granted on the grounds that it would not be detrimental to the public nor impair the zone plan. It recommended that the special exception be granted since this would be more beneficial than the denial. It stated that three separate roof structures would be more in harmony with the overall design of the complex and the neighborhood in general than to create one massive wall that would add to the apparent bulk of the proposed building. The Board concurs.

The ANC requests that the Board limit the special exception to the subject building and that the applicant return to seek relief from the limitations on the number of roof structures on other buildings on the site. The Board's reply to the request is that each application is judged on its own merits. In approving this application, the Board makes no determination as to other matters which are not properly before it.

The ANC has stated that in granting the variance and the special exception, the applicant has saved \$400,000 and \$300,000 respectively and that the Board should direct, or if that is not possible, to urge the applicant to redeploy the funds to aspects of the overall subject site development that would be in the public interest. In reply to this request, the Board states that it has jurisdiction over the use of the property which is the subject matter of the application. The Board has no jurisdiction over the person, nor will it suggest to an applicant how it should use its money.

CONCLUSIONS OF LAW:

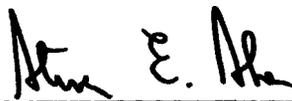
Based upon the record, the Board concludes that the applicant is seeking a special exception and a variance. As to the special exception, the Board finds that to compel strict adherence to the requirements for roof structures would force the construction of a bulkier structure and would lessen light and air to the surrounding owners. The shape and size of the hotel dictates that separate roof structures are more desirable and practical than a continuous roof. The Board concludes that the relief can be granted as in harmony with the general intent of the Zoning Regulations and will not tend to adversely affect the use of neighboring property.

As to the variance, the Board concludes that this is an area variance, the granting of which requires a showing of a practical difficulty stemming from the property itself. The Board concludes that the size and shape of the existing courtyard created the practical difficulty. The creation of the balconies to satisfy the closed court requirements of the Zoning Regulations is without merit (Finding Nos. 12, 13 and 14). The Board further concludes that the variance relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan.

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 INSPECTIONS.