

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13008, of Sylvia Kotz, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the off-street parking requirements (Sub-section 7202.1) and from the rear yard requirements (Sub-section 5305.1) for a proposed addition to a grocery store in a C-2-B District at the premises 1701 Corcoran Street, N.W., (Square 155, Lot 231).

STATUS: The Board GRANTED the application by a Vote of 3-1 (Charles R. Norris, John G. Parsons, and Leonard L. McCants to GRANT; William F. McIntosh OPPOSED; Connie Fortune not voting, not having heard the case).

FINAL DATE OF ORDER: March 17, 1980

FINDINGS OF FACT:

1. By letter of April 25, 1980, the applicant requested the Board to approve modifications to the plans reviewed by the Board at its public hearing of September 4, 1979.

2. Subsequent to the issuance of the Final Order, the applicant's lessee Safeway, prepared working drawings for construction. The Zoning Administrator's Office in reviewing the final plans submitted with an application for a construction permit determined that the plans for the mechanical penthouse had been modified in two respects from the plans reviewed by the BZA. The changes were made to solve practical problems that became apparent during the preparation of the working drawings for the construction of the proposed addition to the store.

3. The modifications consist of the following:

- a. The mechanical penthouse has been set back fifteen feet from the north wall of the proposed addition.
- b. Doors have been substituted for a louver on the north wall of the mechanical penthouse.

4. The proposed plan placed the mechanical penthouse in the northwest corner of the roof of the expanded store. On the ground level this is the location of the existing loading dock. Construction is planned to be phased so that the store can remain open throughout the construction period. This requires uninterrupted deliveries to the store and, as a result, the existing loading dock must remain in operation until the new loading dock on 17th Street can be completed. One of the early phases of construction would also include the construction of the new mechanical penthouse since it houses the equipment for refrigeration system and utilities. During the planning for the construction of the penthouse, it became apparent that in order to provide the support necessary for the construction of the penthouse columns would have to be placed directly below it in the existing loading dock area. This would prevent the delivery trucks from using the loading dock. To avoid this practical operational problem, the mechanical penthouse was set back fifteen feet from the north wall. This permits the construction of the mechanical penthouse and the use of the existing loading dock during the construction of the new loading dock.

5. Doors were substituted for the louvers shown on the north wall of the mechanical penthouse. This was changed to improve the access to the mechanical penthouse for the initial installation of the mechanical equipment and later maintenance and repair.

6. The subject modifications comply fully with the Zoning Regulations.

7. The applicant now requests approval of the modified plans marked as Exhibit No.71 of the record.

8. The request for modification of plans was served upon the parties in opposition who participated in the case. No responses were received from any of the parties.

CONCLUSIONS OF LAW AND OPINION:

Upon consideration of the applicant's request, the Board finds that approval of the revised plans does not change the relief granted by the Board. There are no additional variances required and all of the material facts which the Board relied upon in granting the application are still relevant.

It is therefore ORDERED that the applicant's request for modification of plans is GRANTED, that the revised set of plans marked as Exhibit No. 71 of the record are hereby APPROVED and that such plans shall be substituted for those originally submitted to and approved by the Board. In all other respects, the Order of the Board dated March 17, 1980, shall remain in full force and effect.

VOTE: 3-0 (Charles R. Norris, William F. McIntosh and Leonard L. McCants to GRANT; Connie Fortune and Walter B. Lewis not voting, not having heard the case).

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

ATTESTED BY:

  
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STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 2 JUN 1980

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."