

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**BOARD OF ZONING ADJUSTMENT**



Application No. 13624, of May-Wash Associates, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the prohibition against allowing roof structures not placed in one enclosure (Paragraph 3308.12) and the open court width requirements (Sub-section 5305.1) for a proposed addition to an existing hotel in a C-4 District at the premises 1127 Connecticut Avenue, N.W., (Square 162, Lots 77 and 91).

HEARING DATE: December 9, 1982  
DECISION DATE: December 9, 1982 (Bench Decision)

FINDINGS OF FACT:

1. At the public hearing, the applicant amended the application to withdraw the request for a variance from the open court requirements. When the application was reviewed by the Zoning Regulations Division and when it was filed, an open court in a C-4 District was required to have a minimum width of six inches per foot of height. On September 10, 1981, by Order No. 350, the Zoning Commission amended the Regulations to reduce the minimum court width requirements to four inches per foot of height. The court has a width of 39.08 feet. The present regulations require a width of less than thirty feet for the subject court. No variance is required.

2. The subject property is located in a C-4 District on the east side of Connecticut Avenue, on the south side of DeSales Street, and extends all the way to 17th Street.

3. The property is improved with the existing Mayflower Hotel

4. The applicant proposes to renovate the existing hotel. As part of that renovation, the applicant proposes to construct a two story addition to the center portion of the building, which is now eight stories in height. This will raise the height of the 17th Street side of the building to the same height as the Connecticut Avenue side.

5. The hotel presently has a total of four separate pent-houses on the roof of the building. The existing eastern part of the hotel has two roof structures for elevators, mechanical equipment and stairs. The applicant wishes to duplicate these structures and extend them above the new roof at the same locations. The existing roof structures are approximately eighty feet apart.

6. The addition to the hotel meets all the requirements of the Zoning Regulations with the exception of the one roof structure requirement. The applicant seeks a variance from the provisions of Sub-section 3308.12 to allow the construction of two roof structures.

7. Strict adherence to the one roof structure requirement of the Regulations would be impracticable because of the existing location of the elevator and mechanical equipment and stairs. Strict compliance with the Regulations would require either major relocation of the equipment and/or stairs, or the construction of an eighty foot curtain wall.

8. Because of the location of the roof structures and the location of adjacent and nearby buildings and the height of the Mayflower, the roof structures will not be visible from the street.

9. The applicant has received conceptual design approval of the addition from the Joint Committee on Landmarks for the National Capital.

10. The Office of Planning and Development (OPD), by memorandum dated December 4, 1981, and by testimony at the hearing, recommended that the application be approved. The OPD reported that the roof structure variance arises from the fact that the existing building does not have a single enclosing wall surrounding its four existing roof structures. Such a requirement did not exist when the Mayflower was constructed in 1952. The proposed addition will require modification to two of the existing roof structures since the elevators and stairs will have to be extended to serve the additional two floors. The extension of the roof structures will be constructed directly atop the existing roof structures. The hotel as it presently exists extends from Connecticut Avenue through the square to 17th Street, a distance of some 380 feet. The OPD did not believe that requiring a single enclosing wall, which would involve more than 380 linear feet of construction, would materially improve the appearance of the structure. Such a solution would be costly to achieve. The OPD believed that such a requirement is not practical due to the age and configuration of the existing building. The Board concurs with the findings and recommendation of the OPD.

11. Advisory Neighborhood Commission 2B submitted no report on this case.

12. The Dupont Circle Citizens Association, represented by Ms. Harriett Hubbard, appeared in opposition to the application. The opposition, however, did not address the specific matter before the Board, a variance from strict compliance with the provisions of Paragraph 3308.12, but was merely a general opposition to any increase in height or density, irrespective of whether

such increase is permitted as a matter-of-right under the Zoning Regulations. The opposition was not relevant or material to the issue before the Board.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the requested variance is an area variance, the granting of which requires the showing of an exceptional or extraordinary condition of the property which creates a practical difficulty for the owner. The Board concludes that the existence of the Mayflower Hotel, with its existing roof structures and stair and elevator cores that cannot be moved, is an exceptional condition of the property. The Board further concludes that strict application of the regulations would create a practical difficulty for the owner. The Board concludes that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and maps.

It is therefore ORDERED that the application is GRANTED.

VOTE: 4-0 (Douglas J. Patton, William F. McIntosh, Connie Fortune and Charles R. Norris to Grant; Lindsley Williams not present, not voting).

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

ATTESTED BY: Steven E. Sher  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: MAR - 1 1982

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 OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS