

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13788, of 1111 Associates, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Sub-section 3308.2 to permit construction of a penthouse not meeting the setback requirements for a proposed office, retail and garage building, in a C-4 District at the premises 1111 14th Street, N.W., (Square 247, Lots 808 and 809).

HEARING DATE: July 14, 1982
DECISION DATE: July 14, 1982 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the east side of 14th Street between L Street and Massachusetts Avenue, N.W. and is known as premises 1111 14th Street, N.W. It is zoned C-4.

2. The subject property contains 6,976 square feet of land area, and is generally rectangular in shape. It is presently unimproved and used as a parking lot. The site has 54.5 feet of frontage along 14th Street. A ten foot wide public alley known as Green Court abuts the northern boundary of the site.

3. Surrounding uses include two and four-story commercial buildings and a twelve-story hotel to the north, a newly constructed twelve-story office and retail building to the south, eleven-and twelve-story office and retail buildings to the west across 14th Street and several unimproved lots presently used for parking to the east. The subject site and all abutting properties are zoned C-4.

4. The applicant proposes to construct a 12-story commercial office building containing a gross floor area of approximately 69,000 square feet. A below-grade parking garage is provided, as well as a required loading dock.

5. The applicant seeks a special exception from the provisions of the C-4 District which require that a roof structure be setback from all lot lines a distance equal to the height of the structure above the roof of the top story.

6. The applicant proposes to construct a roof structure of eighteen feet in height, thus requiring a minimum setback of eighteen feet from all lot lines. From

the northern property line abutting the alley, a setback of 14.75 feet is provided. From the eastern property line, a setback of 20.83 feet is provided. From the western property line, a setback of 40.33 feet is provided. On the south, the roof structure is located adjacent to the property line and no setback is provided.

7. The roof structure would contain elevator machinery, cooling tower, exit stairs and other mechanical and related equipment.

8. Strict application of the Zoning Regulations would be unreasonable in that it would allow a roof structure of less than twenty feet in width due to the narrowness of the lot. The project architect testified that it would be impractical to reduce the overall height of the roof structure since the most reliable, efficient, and maintenance-free type of elevator requires a roof structure height of eighteen feet. The project architect further testified that virtually the entire 39.75 foot width of the roof structure as shown on the plans is necessary to contain all of the mechanical equipment. In addition, strict compliance with the setback requirements would require placing the elevator core in the center of the structure, which would be an inefficient and unreasonable use of space. The project architect testified that the normal "doubleloaded" corridor system in a C-4 office building would utilize a 100-foot-wide lot with forty feet of rental space on either side of a central elevator bank measuring twenty feet in width. Here the subject lot is approximately half that width, and according to the project architect's testimony, designing marketable commercial retail space is only viable if the elevator banks are set to one side of the building. The Board concurs with the architect's findings.

9. The location of the roof structure on the southern property line, setback over forty feet from the 14th Street frontage, will assure that the roof structure is only partially visible from the street level. There would be little impact on surrounding uses. The adjacent buildings on the north are separated from the subject site by a ten-foot-wide alley, in addition to the 14.75 foot setback of the roof structure from the north property line. The adjacent structure to the south is approximately of equal height and the portion of that building immediately abutting the roof structure is itself an area housing mechanical equipment covering the entrance to an underground garage.

10. The applicant proposes to use the same precast material to face the roof structure as will be used to face the facade of the main building. The roof structure is

proposed to be constructed according to the plans marked as Exhibit No. 9 of the record.

11. Sub-section 3308.2 of the Zoning Regulations provides that, where impractical because of operating difficulties, size of building lot or other conditions relating to the building or surrounding area which would tend to make full compliance unduly restrictive, prohibitively costly or unreasonable, the Board is empowered to approve the location and design of any or all of such structures, even if such structures do not meet the normal setback requirements of the respective zone district, provided the intent and purpose of the section is not materially impaired thereby, and light and air of adjacent buildings are not affected adversely.

12. Advisory Neighborhood Commission 2C, by letter dated July 12, 1982, advised the Board that it was unaware of any opposition to this application.

13. There was no opposition at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception to construct a roof structure which does not meet the setback requirements of Paragraph 5201.24. The Board concludes that because of operating difficulties and the narrowness of the building lot, full compliance with the strict requirement of the Zoning Regulations would be unduly restrictive and unreasonable. The location of the proposed roof structure abuts a structure of similar height. Because of its height and bulk, the proposed roof structure will not affect adversely, nor will it impair the light and air of adjacent buildings. The Board concludes that granting the requested relief will not impair the intent, purpose or integrity of the Zoning Regulations. Further, the Board concludes that the proposed roof structure will be in harmony with the general purpose and intent of the zone plan. Accordingly, it is ORDERED that the application is GRANTED:

VOTE: 5-0 (Connie Fortune, William F. McIntosh, Douglas J. Patton, Charles R. Norris and Lindsley Williams to GRANT).

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: SEP 30 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.