

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14261, of the George Washington University, as amended, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for the following relief to construct a nine (9) story rear addition to the subject structure, the H.B. Burns Memorial Building according to the plans marked as Scheme 1 (Exhibit No. 69 of the record):

- A. Special exception under Paragraph 3101.46 for further processing under a campus plan;
- B. Special exception under Sub-section 3308.2 to permit a separate roof structure not meeting the setback requirements of Paragraph 5201.24 and which does not place all penthouses and mechanical equipment in one enclosure and which does not have all enclosing walls of equal height;

or in the alternative, for the following relief to construct the addition to the subject structure according to the plans marked as Scheme 2 (Exhibit No. 62 of the record):

- A. Special exception under Paragraph 3101.46 for further processing under a campus plan;
- B. Special exception under Sub-section 3308.2 to permit a separate roof structure not meeting the setback requirements of Paragraph 5201.24 and which does not place all penthouses and mechanical equipment in one enclosure and which does not have all enclosing walls of equal height;
- C. Variance from the open court width requirements (Sub-section 3306.1); and
- D. Variance from the prohibition against making an addition to an existing nonconforming structure that creates a new nonconformity (Paragraph 7105.12) in an R-5-C and C-3-C District at premises 2150 Pennsylvania Avenue, N.W., (Square 75, Lots 855, 857, 849, 819, 818, 856 and 814).

HEARING DATES: February 27, May 8, June 26, July 31, and

October 16, 1985.

DECISION DATES: September 4, September 18 and November 6,
1985.

DISPOSITION: The Board GRANTED the application in accordance with Scheme 2 by a vote of 3 to 1 (Charles R. Norris, William F. McIntosh and Carrie L. Thornhill to grant; Lindsley Williams, opposed; Douglas J. Patton not present, not voting).

FINAL DATE OF ORDER: December 20, 1985

ORDER

By Order No. 14261, dated December 20, 1985, the subject application was granted by the Board subject to the condition that the development shall be constructed in accordance with modified plans of Scheme 2 marked as Exhibit No. 56B of the record.

On March 21, 1986, counsel for the applicant filed a request for Board approval of modifications to the plans approved by the Board. This request was filed pursuant to Section 506 of the Supplemental Rules of Practice and Procedure before the BZA. The applicant proposed the following changes:

- A. The center column on the south facade facing Eye Street would be deleted. The corner columns would be moved toward the center to flank the entrance driveway.
- B. A bank of windows in the southernmost portion of the east facade of the building above the garage ramp would be shifted from the northern portion of that section of the wall to the corner of the building at Eye Street.
- C. The solid portion of the wall at the Eye Street end of the west facade would be replaced with windows and spandrel panels.
- D. The sloped roof of a small portion of the penthouse would be deleted and replaced with a vertical wall and flat roof.
- E. Penthouse louvers shown as continuous panels would be changed to panels separated by masonry piers.
- F. An additional set of louvers facing south would be added to the mechanical portion of the building.

- G. The access from the sidewalk on the 22nd Street side of the building would be simplified to provide a direct handicapped access to this entrance to the building.

The applicant argued that these modifications were proposed to improve the appearance of the building, to unify the architectural design, to meet certain mechanical requirements and to improve the interior functioning of the building. The applicant further argued that the changes represented typical minor alterations that are made when schematic plans are refined into permit drawings.

Opposition to the requested modifications designated above as E and F was filed on March 31, 1986 by The President Condominium Association and James T. Draude. This opposition was based on the assertion that modifications E and F would change the material facts regarding noise generated by the addition. No opposition was filed to the modifications designated above as A, B, C, D, and G. Advisory Neighborhood Commission 2A did not file any opposition to any of the proposed modifications.

The Board concludes that the proposed modifications designated above as A, B, C, D, and G are all minor architectural revisions and that the material facts relied upon by the Board relative to the original application are unaffected by these proposed modifications. The Board further concludes that the proposed modifications designated above as E and F may change the material facts regarding noise generated by the addition to the H.B. Burns Building, and that modifications E and F cannot therefore be approved as a request under Section 506 of the Rules.

It is therefore ORDERED that the modification of plans is APPROVED for those modifications designated above as A, B, C, D and G and DENIED for those modifications designated above as E and F and that the Plans marked as Exhibit No. 157A of the record are hereby approved, and shall be substituted as appropriate for those originally approved by the Board and marked as Exhibit No. 56B of the record. The Board notes that the revised plans marked as Exhibit No. 157A show the location of a pedestrian connection above 22nd Street which was not shown on the originally approved plans and further was not an issue before the Board in consideration of the subject application. In all other respects, the Order dated December 20, 1985, shall remain in full force and effect.

DECISION DATE: April 2, 1986

VOTE: 4-0 (William F. McIntosh, Charles R. Norris and Carrie L. Thornhill to approve and deny; Lindsley Williams to approve and deny by proxy; and Paula L. Jewell not voting, not having heard the case).

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

ATTESTED BY:



CECIL B. TUCKER
Acting Executive Director

09 MAY 1988

FINAL DATE OF ORDER: _____

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 CONSUMER AND REGULATORY AFFAIRS.

14261/BJW12