

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- April 12, 1967

Appeal No. 9186 2000 L Street, Ltd., et al. appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and carried, with Mr. William F. McIntosh dissenting and Mr. Samuel Scrivener, Jr. absent, the following Order was entered at the meeting of the Board on June 5, 1967.

EFFECTIVE DATE OF ORDER -- June 7, 1967

ORDERED:

That the appeal for permission to erect an overhang type projection upon the roof structure (heretofore approved in Appeal 8684) in accordance with the provisions of Section 3308 of the Zoning Regulations at 2000 L Street, NW ., lot 85, square 76, be granted.

From the record and the evidence adduced at the public hearing, the Board finds the following facts:

(1) Appellant submitted written statement entitled Statement of Petitioner and designated on Board's file as Exhibit No. 11 which outlines the pertinent Zoning Regulations which establish that FAR for roof structures shall be determined by the area embraced within the curtain or enclosing walls of the roof structure.

(2) Order of Zoning Commission dated June 1, 1960 amending the Zoning Regulations to provide for Board of Zoning Adjustment approval for the erection of roof structures under Section 3308 thereof, copy of which is designated as Exhibit No. 14, fully supports the appellant's statement as to method of computing FAR for roof structures.

(3) Plot plan designated as Exhibit No. 12 shows that the overhang on roof structure is adjacent to public alley or the yard setbacks with the exception of a small portion of the southwest corner which projects over and above the public alley.

(4) Records and proceeding in Appeal No. 8684 are incorporated in this record to the extent that such record is relevant and material to the Board's consideration.

(5) The appeal for the roof structure is granted under plans by Weihe, Black and Kerr, architects, as approved by Mr. Arthur P. Davis, member of the Board. Drawings were signed by Mr. Davis on May 1, 1967.

(6) Appellant's architect, Mr. Weihe, testified that the projection of the roof overhang of 8 feet on the east, north and west sides of the roof structure heretofore approved does not adversely affect the light and air of adjoining properties and further such projection from an aesthetic standpoint greatly enhances the appearance of the roof structure.

(7) There was no opposition to the granting of this appeal registered at the public hearing.

OPINION:

The Board concludes that the erection of the proposed projection of an 8 foot overhang beyond the east, west and north walls of the roof structure heretofore approved in Appeal No. 8684 on this proposed building will harmonize with the exterior street frontages of the building in architecture, material and color. The roof structure is in harmony with the purpose and intent of the Zoning Regulations and will not tend to adversely affect the use of neighboring property. The Board further finds that the roof structure does not exceed an FAR of 0.25 as specified in Section 3308.22 of the Regulations. Computation of FAR for roof structures shall include the area within the curtain or enclosing walls of the roof structure and shall not include architectural embellishment including projections and overhangs extending beyond the curtain or enclosing wall.

In making the foregoing determination, the Board has given careful consideration to the purposes and intent of the Zoning Commission in the adoption of Section 3308 of the Zoning Regulations on June 14, 1960 and the additional amendments to the regulations made at that time which included amendments to the definition to gross-floor area, story and story top. These amendments treated as a group indicated that FAR for roof structures should be computed by measuring the area within the curtain or enclosing walls.

Should the Public Space Committee not approve that portion of the roof structure which projects over and above the public alley then, in such event, this Order shall constitute approval for the remaining area of the roof structure overhang.