

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - April 16, 1969

Appeal No. 9998 Oscar B. Hunter, et al, Trustees for Medical Center Association, appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on April 23, 1969.

EFFECTIVE DATE OF ORDER - July 14, 1969

ORDERED:

That the appeal for variance from rear yard, lot occupancy requirements of the R-5-D District and for roof structures in accordance with Section 3308 to erect hotel and extended care facilities at 1143 New Hampshire Avenue, NW., lot 74, Square 72, be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-5-D District.
 2. It is proposed to erect a nine (9) story hotel building with roof structures to house elevator machinery, mechanical equipment and stairs to the penthouse.
 3. The total area of appellant's lot is 31,244 square feet and the area of the proposed building is 178,870 square feet with an FAR of .95.
 4. The area of the roof structure is 4,575 square feet with an FAR of .58.
 5. The material and color of the street facade of the building will be light colored fluted splitblock and off-white precast concrete and glass and the roof structure will be light colored brick and off-white precast.
 6. This appeal was filed and heard under plan by Henry Holle and Associates, architects, drawings No. 2,10,18,19,20, and 21, approved as noted by Arthur P. Davis, architect-member of the Board, on April 22, 1969.
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7. Appellant amends this appeal to determine whether the proposed structure qualifies as a hotel under the Regulations and whether such building is entitled to a 6.0 FAR within the R-5-D District.

8. The proposed building will contain approximately 363 units not less than 30 of which are to be reserved for transient guests with a dining room which shall accommodate 30 persons. Communications with the lobby shall be had from the dining room.

9. The following facts are hereby found:

- (a) The occupants of the units will be transient guests;
- (b) There will be provided a registration of all guests;
- (c) The guests will be charged a daily rate;
- (d) Hotel services will be available to all guests;
- (e) The Innkeepers notice and room rates shall be posted in each guest room;
- (f) The dining room facility is available to all guests;
- (g) The furniture and equipment in all rooms will be identical.

10. Additionally, appellant proposes to establish nurses stations and other medical facilities to serve all guests. It is expected that some of the clientele will be persons seeking medical examinations and limited medical care. The building shall be called the "Health Hotel."

11. Applicants base their request for variance from the lot occupancy and rear yard requirements on the fact that the lot has an odd shape and the fact that there are existing columns on the lot which may be used for the proposed building but which would be extremely difficult and costly to remove for construction of new columns.

12. The requested variance in the lot occupancy is requested for the first floor and below which would exceed the 75 per cent requirement of the R-5-D zone by 2.95 per cent or a total additional area of 921 square feet. The remainder of the building above the first floor will comply with the 75 per cent lot occupancy requirement. Appellant alleges hardship in that the existing foundations do not extend above grade.

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13. Because of the peculiar shape of the lot, the building will be located approximately 6 feet from the northern end of the site. The remainder of the building will comply with the Zoning Regulations.

14. No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold 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 Map.

The Board concludes that the roof structure will harmonize with the street frontage of the building in architectural character, material and color and is in harmony with the purpose and intent of the Zoning Regulations.

This Order shall be subject to the following conditions:

- (a) The Board in approving this proposed structure approves it as a hotel but does not specify other uses which the appellant may desire, i.e., extended care facilities.
- (b) The variance of lot occupancy is permitted so long as the intrusion remains one story above grade only.

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

By: 
CHARLES E. MORGAN, Secretary of the Board

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

PUBLIC HEARING - April 16, 1969

Appeal No. 9998 Oscar B. Hunter, et al, Trustees for Medical Center Association, appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following AMENDMENT in the Order of the Board was entered at the meeting of February 23, 1971.

EFFECTIVE DATE OF AMENDMENT - April 5, 1971

ORDERED:

That the appeal for variance from the rear yard, lot occupancy requirements of the R-5-D District and for roof structures in accordance with Section 3308 to erect hotel and extended care facilities at 1143 New Hampshire Avenue, NW., Lot 74, Square 72, having been granted, the Order effective July 14, 1969, is amended as follows:

FINDINGS OF FACT NO. 3 should read:

The total area of appellant's lot is 31,244 square feet and the area of the proposed building is 178,870 square feet with an FAR of 5.7.

FINDINGS OF FACT NO. 4 should read:

The area of the roof structure is 4,575 square feet with an FAR of .145.

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

ATTESTED:

By: _____



PATRICK E. KELLY
Secretary of the Board