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DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Appeal of Kalorama Citizens Association, pursuant to 11 DCMR § 3100, from the administrative decision of David Clark, Director, Department of Consumer and Regulatory Affairs issuing Building Permits Nos. B455571 and B455876 respectively, to Montrose, LLC, to adjust the building height to 70 feet and to revise penthouse roof structure plans to construct an apartment building in the R-5-D District at 1819 Belmont Road, N.W., and from the issuance of the original Building Permit No. B449218, dated March 11, 2003.	)	BZA No. 17109-B

MEMORANDUM OF APPELLANT KALORAMA CITIZENS ASSOCIATION REGARDING DEFINITION OF "ATTIC", IN RESPONSE TO PROCEDURAL ORDER ON REMAND

BACKGROUND OF THE CASE

Kalorama Citizens Association ("KCA") appealed to the BZA the issuance of permits to Montrose LLC by the Department of Consumer and Regulatory Affairs for a construction project at 1819 Belmont Road, N.W. ANC 1C joined as a party. 1819 Belmont was originally a 3-story plus basement row house. Project plans depicted redeveloping it into an apartment building of seven interior levels, a roof structure housing a stairway that connected the seventh level to the roof, and a roof deck. [*Attachment 1:* Record Exhibit ("R.E.") 29, *Appellant's Statement*, p.1; *Attachment 2:* R.E.75, Section drawing from project plans.] KCA's Appeal complained of, among other things, excessive height and density of the building [*BZA Order No. 17109 ("Order")*, pp. 10-11, 13-15], which extended up above neighboring row houses by several stories. [*Attachment 3:* R.E.'s 29 and 44, photographs of subject property under construction and

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EXHIBIT NO. 107

near completion.] The height and density were made possible by the exclusion from DCRA's calculation of "gross floor area" of the floor area of certain parts of the building, including the seventh level, which was labeled "attic" by the developer, Montrose LLC. The Board granted the appeal in part and denied it in part. KCA and ANC 1C sought review of the Order by the District of Columbia Court of Appeals, in respect of, among other things, the Board's determination that the seventh level was an attic with structural headroom of less than 6' 6" and that consequently its floor area did not need to be included in the calculation of gross floor area. (Under the terms of 11 DCMR §§ 199.1, the "horizontal space of the several floors" of a building are included in "gross floor area". "Attic space" is included, but only if it has "structural headroom" of 6 feet 6 inches or more.)

The physical characteristics of the building relevant to this issue are as follows: The plans depicted a top apartment consisting of the sixth and seventh levels, a roof structure housing a stairway connecting level 7 to the roof, and a roof deck. The seventh level of the building does not extend all the way to the front, but is set back by approximately 1/5 the length of the building at that level. As a result the *sixth* level has a very high ceiling at the front of the building. This ceiling, which toward the rear of the building becomes also the ceiling of the seventh level, is mounted on the underside of ceiling beams running front to back, and also on the underside of structural members (either wooden 2x10s or engineered lumber) that serve as collar ties. The collar ties also run front to back and are interspersed among the ceiling beams and set 48 inches apart. [*Attachment 2 above,* Section drawing from project plans; *Attachment 4,* Transcript of 4/06/04, Testimony of Norman Smith, Architect for Montrose LLC, pp. 146-48.]

Above the ceiling beams and collar ties are 2x10 roof rafters gently sloping from front to back. The height of the space between the roof rafters above and the ceiling beams and collar

ties below, which we submit is the building's true attic, tapers from approximately one foot at the front of the roof to zero at the rear. That space is indicated by an arrow the section drawing at Attachment 2.

The Board had found that the seventh level ceiling was less than 6 feet 6 inches in height above the floor, and that the collar ties that formed part of the framing of the that ceiling worked to brace the building against racking in a north-south (i.e. lengthwise) direction and were therefore structural in character. [Order, p. 5, ¶¶31, 32.] The Board had concluded that therefore the ceiling of the seventh level was "structural", with a headroom of less than 6 feet 6inches.[1]

As the Court of Appeals recognized, however, it does not follow from these findings that the seventh level is an "attic" by the applicable definition. Consequently the Board's further conclusion, that "thus the space was properly excluded from FAR calculations" [Order, p. 14.], was unsupported by the requisite finding of fact, and we submit that the record contains no evidence rationally supporting such a finding.

If, as KCA and the ANC 1C argued, the seventh level did not qualify as an "attic", then its floor area would have been required to be included in gross floor area regardless of the structural character of the ceiling, since it would be merely one of the "several floors" of the building that are required to be included. [11 DCMR §199.1, definition of "gross floor area".]

THE SEVENTH LEVEL IS NOT AN "ATTIC" BY ANY APPLICABLE DEFINITION

"Attic" is not defined in the Zoning Regulations. Consequently, as the Board's Procedural Order on Remand indicates, the meaning given in Webster's Unabridged Dictionary

[1] KCA and ANC 1C had argued that the seventh level ceiling was not structural and thus could be readily removed by an owner once the project was completed and the building sold, thereby subverting the Regulations' requirement that the ceiling be no higher than 6 ft. 6" if the space is to be excluded from gross floor area. The Board, however, was convinced that the collar ties did serve a structural purpose in addition to supporting the ceiling.

governs [11 DCMR §199.2 (g)]. Webster's Third New International Dictionary, Unabridged, maintained in the Office of Zoning, provides the following alternative meanings:

"1a: A low story or wall above the main order or orders of a façade in the classical styles;

b: A room or rooms behind an attic; and

c: The part of a building immediately below the roof and wholly or partly within the roof framing: a garret or storage space under the roof."

The first two meanings of the term "attic" are readily seen to have no application to the structure at 1819 Belmont. To our knowledge Montrose made no claim that either of these had any applicability to the present case nor did these definitions otherwise enter the discussion before either the Board or the Court of Appeals. As to the first definition, "classical", in reference to architecture, denotes the architectural styles of ancient Greece and Rome. Webster's Third New International Dictionary, Unabridged, gives the following definition: "Of or relating to the ancient Greek and Roman world, esp. to its literature, art, architecture and ideals."[2] As the plans and photographs at Attachments 2 and 3 show, the façade of 1819 Belmont is devoid of any architectural feature that could be characterized as in the classical styles of Greek or Roman architecture, familiarly exemplified, for example, in so many of the Federal government buildings in Washington. It is an architectural hodge-podge, the first level newly exposed by the removal of a berm, and stuccoed; levels 2-4 are the brick façade of the original square-bay Edwardian row house; level 5 is newly added and stuccoed, with an exterior balcony with canopy supported by metal posts; at levels 6 and 7, also newly added, the façade is inclined slightly back to form a sort of 2-story mansard, to be faced with sheet metal.

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[2] The American Heritage Dictionary of the English Language, Third Edition, provides the following similar primary definition of "classical": "of or relating to the ancient Greeks and Romans, especially their art, architecture and literature. . . . ."

Nor could it be argued that the seventh level of this building is "a room or rooms behind an attic." This definition would require, in the present case, showing that there was already an existing attic in the building which the seventh level was "behind". In fact, since the seventh level is constructed as a balcony that does not extend to the front of the building, what it is "behind" is open space overlooking the floor below.

That leaves the third definition: "the part of a building immediately below the roof and wholly or partly within the roof framing: a garret or storage space under the roof."

In seeking the building permits, the developer's architect characterized the seventh level as an "attic". In so doing, while he did not refer to this Webster's definition, he did claim applicability of the definition found in §1202.1 of the BOCA National Building Code, 1996, which like the Zoning Regulations is a part of District of Columbia law. [*Attachment 5:* R.E. 29, Excerpt from DCRA permit file for the project] That definition is identical in practical effect to the Webster's definition. It is: "The space between the ceiling beams of the top story and the roof rafters." [*Attachment 6*: R.E. 43, BOCA Code definition of "attic".] Both of these sources define "attic" in *purely structural terms*, identifying, by precise reference to certain of a building's architectural components – roof, roof framing, ceiling beams -- the exact part of the building's structure to which the term applies.

Despite the claim in the building permit application that the seventh level was an attic by the BOCA definition, the building plans and Montrose's own testimony make clear that the seventh level of this building does not meet the relevant Webster's definition of "attic" (and by the same token cannot meet the parallel Building Code definition invoked by the developer). Rather, as noted earlier, the building's true attic -- the space immediately below the roof, between the roof rafters and the beams of the ceiling of the top story – is the narrow space, around a foot

high at the front and tapering to zero at the rear, that is identified by an arrow on the section drawing at Attachment 2. Obviously the seventh level cannot be the space *between* the roof rafters and the ceiling beams of the top story: the seventh level *is* the top story.

As noted above, the ceiling beams of the seventh level, on the underside of which the wallboard ceiling is attached, consist both of members whose only function is to support the ceiling, as well as, for some portions of the ceiling, 1½" x 9 ½" boards that function both as ceiling beams and as collar ties bracing the building against racking. [Order, p. 5, ¶¶31 and 32] Neither serves in any way to support the roof – the supporting framing for the roof is supplied exclusively by the roof rafters, which are a completely different set of structural members, and there is nothing in the record to suggest the contrary.[3]

The true attic of 1819 Belmont is too low to be habitable, although it might be put to minimal use as a storage space. But neither the relevant Webster's definition of "attic" nor the parallel Building Code definition is dependent on the extent of the usability of the space. As KCA's expert architectural witness in the BZA proceeding testified, an attic need not be of any particular height in order to qualify as an attic: "An attic doesn't have to be even an inch to be an attic." [Transcript 3/9/04 p. 27, testimony of Donald A. Hawkins:]. What it *does* have to be is the space immediately below the roof and thus above the ceiling of the floor below. And the important point for purposes of the issue at hand is that the seventh level of the building does not meet that test.

Montrose's own architect confirmed the correct use of the term "attic" in testimony before the Board aimed at explaining the function of collar ties:

> "I think one of the analogies or a good example is if any of you live in a single-family house and you *go up into the attic*, in a gabled *attic*, frequently there are collar ties that are 2 x 4s or 2 x 6s that run across. They are sort of banged onto the sides of the rafters.

> They are members that are acting in tension to keep the roof from spreading." (Emphasis added) [Transcript 4/06/04 pp. 147-48.]

The comment makes clear, as does the dictionary definition, that an attic is the part of the building above the top floor ceiling and below the roof where the roof framing is to be found. (It is important to note, however, that in the subject building the collar ties were *not* attached to the roof rafters, as is commonly done in a gabled attic to prevent spread, but were interspersed among the ceiling beams of the floor below, serving the dual function of supporting that ceiling and bracing this very tall and narrow row house building against lengthwise stress.)

It is instructive that, had the seventh level been constructed without the ceiling beams on which its present ceiling is mounted 6 ft. 5-1/4" above the floor, but rather with its ceiling mounted on the underside of the roof rafters, it might well have qualified as an "attic" under the Webster's definition. In that event, however, its headroom would have exceeded the maximum 6ft. 6", thereby requiring inclusion in calculating the building's gross floor area. As constructed, however, the seventh floor of 1819 Belmont is just that: an additional floor of marketable space, labeled "attic" by the builder and given a low ceiling for the evident purpose – or at least with the obvious effect -- of circumventing the density restrictions of the Zoning Regulations and increasing the number of floors and the height of the building.

Conclusion: The seventh level of the building is not an "attic" by any definition applicable under 11 DCMR §199.2(g), but rather one of the "several floors" that must be included in the calculation of gross floor area.

Respectfully submitted,

John Lawrence Hargrove
Counsel for Petitioner Kalorama Citizens Association
D.C. Bar No. 35413

CERTIFICATE OF SERVICE

A copy of this instrument on this second day of July, 2006 was sent by United States mail, first class postage prepaid, to:

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Bryan Weaver
Single Member District Commissioner 1C-03
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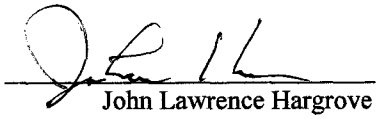
Washington, D.C. 20024

Melinda Boling, Esquire
Acting General Counsel
Department of Consumer and Regulatory Affairs
Washington, D.C. 20024



John Lawrence Hargrove

ATTACHMENT 1

Before the Board of Zoning Adjustment of the District of Columbia
Appeal of Kalorama Citizens Association
BZA Appeal No. 17109

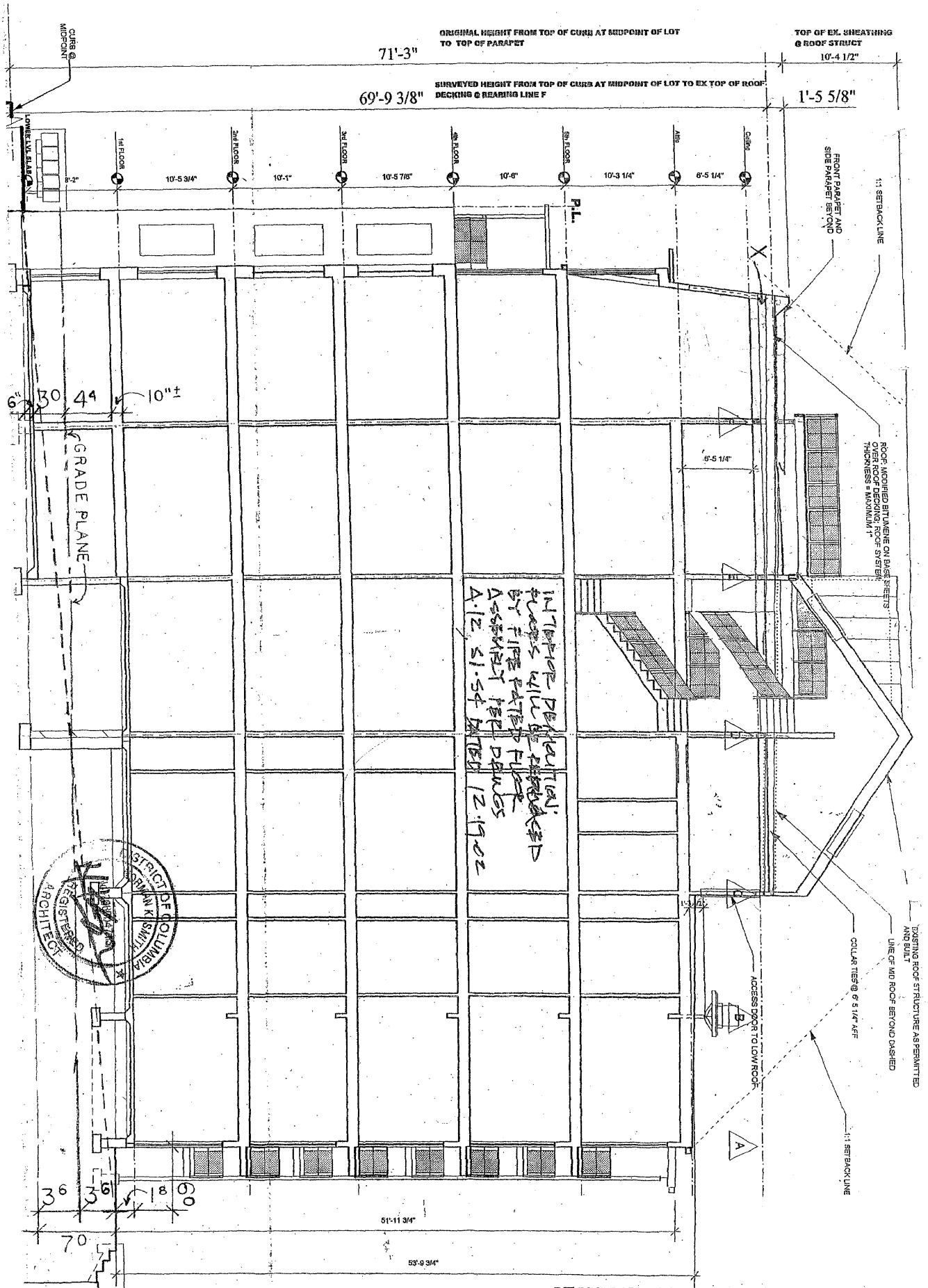
Appellant's Statement

Appellant Kalorama Citizens Association (KCA) is a District of Columbia Non-Profit Corporation having members throughout the Kalorama Triangle, Lanier Heights and Washington Heights areas of the city. It seeks review under 11 DCMR §3100 of decisions by the Director of the Department of Consumer and Regulatory Affairs, David Clarke, granting permits for the construction of a 5-unit apartment building at 1819 Belmont Road, N.W. Appellant contends that these permits were issued in error and should be revoked.

The property and its environs. 1819 Belmont was one of an original row of three matched turreted Edwardian townhouses, each just under 17 feet wide, having three stories and a basement, with a berm at the front and masonry steps leading to the front entrance at the level above the basement. 1819 had been used as a four-unit apartment building for some years. The block contains predominantly row houses on both sides of the street, all of approximately the same height and all but one having their original facades, one five-story apartment building on the south side and one on the north, as well as a one two-story apartment building on the north side. These buildings date from the early 1900's except for one 1980's 4-unit in-fill that replaced a rowhouse destroyed by fire. (See Exhibit 2) KCA has applied for, and has been informed that it will receive, a grant from the D.C. Office of Historic Preservation, Office of Planning, for a historic survey of the Washington Heights area, preparatory to a possible historic district application. As to zoning, buildings facing Belmont Road at either end of the block, adjacent to 18th Street or Columbia Road, are zoned C-2-B; the mid portion of the block on the north side, including 1819, is zoned R-5-D. The mid-portion of the block on the south side is R-5-B. Columbia Road is zoned C-2-B on the north side of Belmont and R-5-D on the south side. (See map at Exhibit 3)
The 2002 Generalized Land Use Map of the Comprehensive Plan designates the residentially zoned areas between Columbia Road, 18th Street, Florida Avenue and 19th including the 1800 block of Belmont Road, Moderate Density Residential—"Row houses and garden apartments are the predominant uses; may also include low density housing".

Project background. The developers obtained an original permit on March 11 of last year, for a conversion to 5 apartments, principally by renovation rather than new construction. This permit was not displayed on the building until September of last year. They removed the front berm and enlarged a ground-level window opening, and then came to the ANC with request for acquiescence in a curb-cut to permit access to a proposed inside parking space with access through the front bay (the request was turned down after vigorous opposition; the proposal was subsequently dropped). They displayed drawings at the ANC meeting but their discussion did not produce elevations or address the scale of the building relative to surrounding structures. In response to questions they indicated that they proposed to add one story.

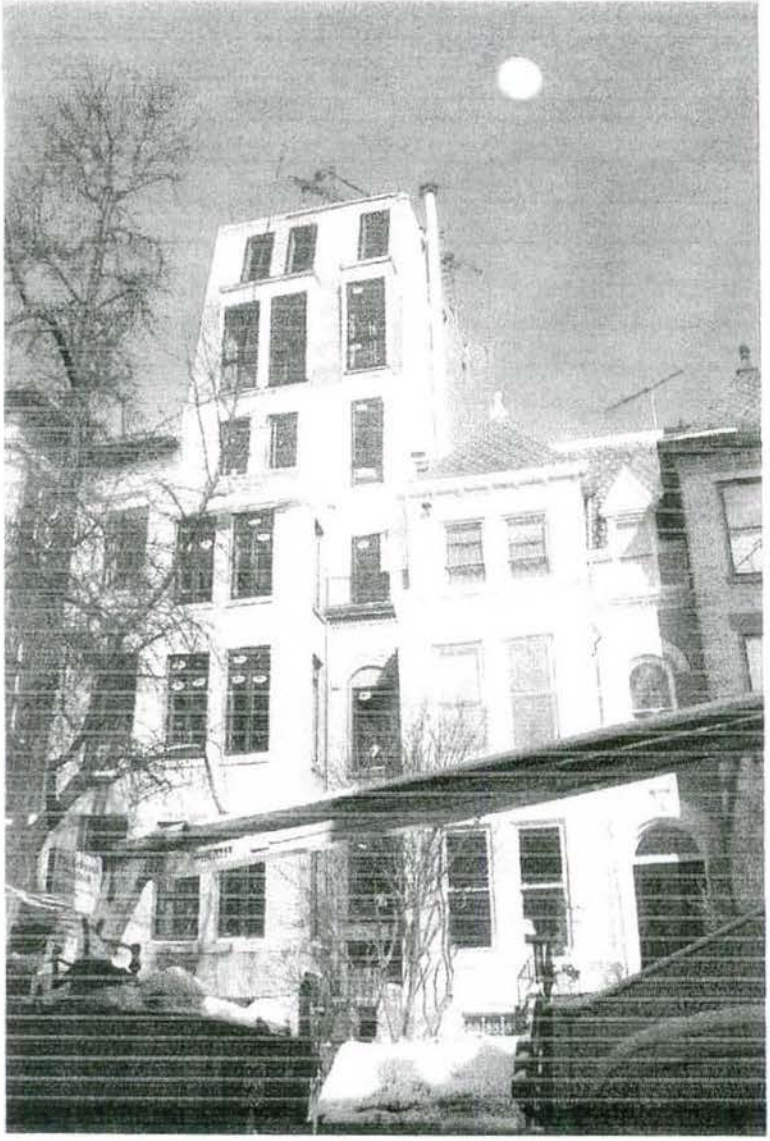
ATTACHMENT 2

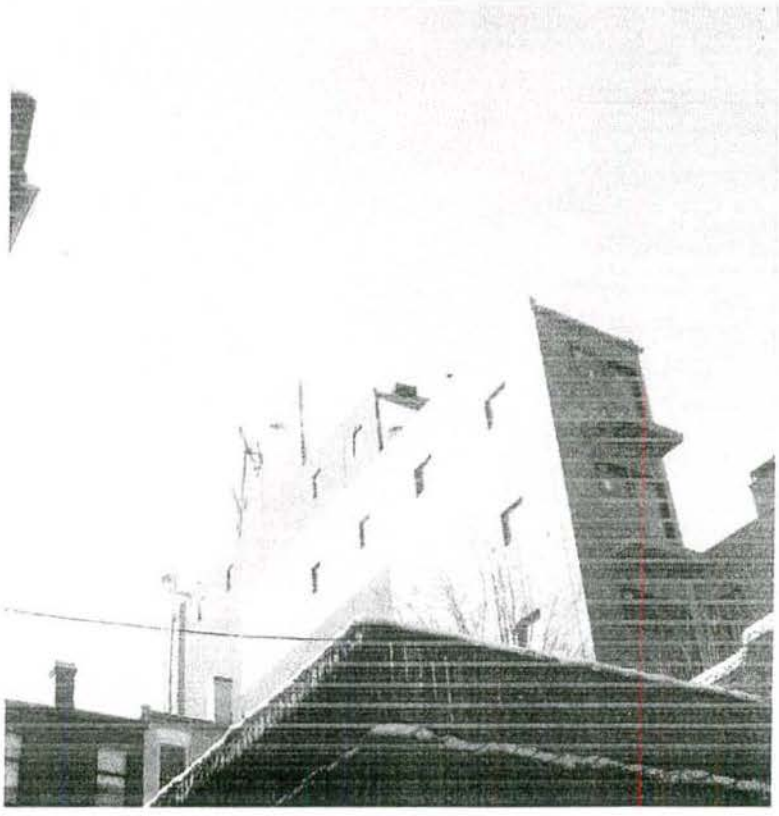


1819 BELMONT RD., NW 09-29-03
NORMAN SMITH ARCHITECTURE 202.462.5886

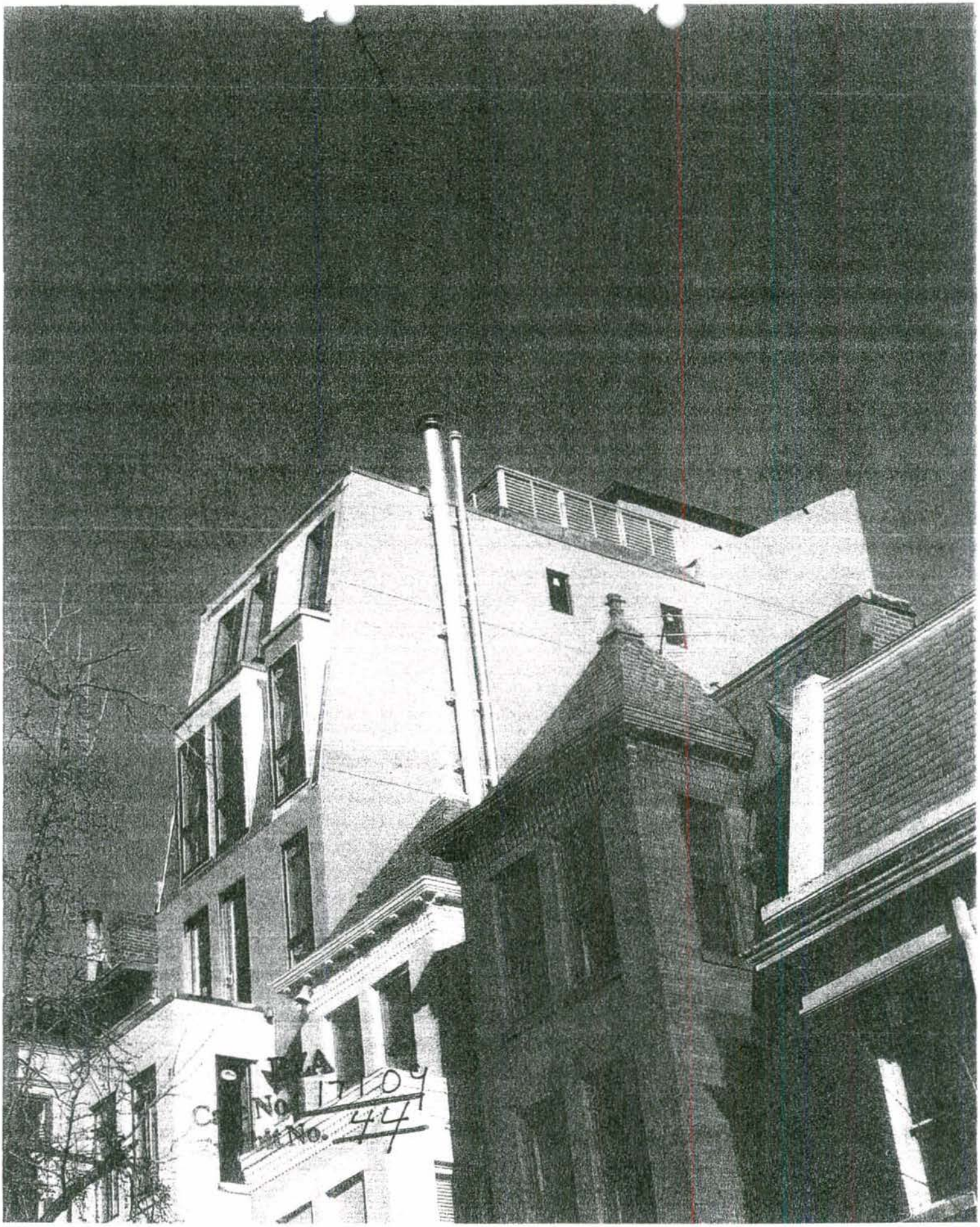
SECTION SHOWING AS BUILT AND ORIGINALLY PERMITTED ROOF

ATTACHMENT 4





ATTACHMENT 3


FA
No. 1110
No. 44

that they cannot do that. In addition to that, it would require a building permit, which would trigger FAR calculations. So I think the short answer is no.

BOARD MEMBER ETHERLY: Okay. Okay. Let me then back up real quickly and then I will pause, Mr. Chair, and let other colleagues get in. But with respect to, let's kind of go back downstairs, if you will, and come to the basement.

CHAIRPERSON GRIFFIS: You know what? Let me interrupt you for a second.

BOARD MEMBER ETHERLY: Yes, sir.

CHAIRPERSON GRIFFIS: Let's start with the basics. What is a collar tie? If you're standing on the floor of that attic space, that level, I'm looking up and I look up to 6 feet, 5 and 1/4 inches, what do I see?

MR. SMITH: You would see the bottom face of a member that is, in its rough state, an inch and a half wide and 9 and 1/4 inches tall that would run from north to south, would be spaced 48 inches on center.

CHAIRPERSON GRIFFIS: A member of what, the Kalorama Citizens Association? Not being an architectural design and review board or a structure review board, what you are talking about is a piece of

steel in that.

MR. SMITH: It's a wooden member.

CHAIRPERSON GRIFFIS: Oh, it's wood then? You're using some wood in there, and so it's an engineered piece though. Am I correct?

MR. SMITH: The actual floor joists of the building are engineered lumber. These particular members, I believe, are either engineered or are 2 x 10s. I think in the --

CHAIRPERSON GRIFFIS: All right. I'm just trying to explain then. So they are 48 inches apart?

MR. SMITH: That is correct.

CHAIRPERSON GRIFFIS: Okay. So there is only a few of them?

MR. SMITH: There are I think four or five.

CHAIRPERSON GRIFFIS: Right.

MR. SMITH: Because actually, they are spaced less than 48 inches in certain places. I think one of the analogies or a good example is if any of you live in a single-family house and you go up into the attic, in a gabled attic, frequently there are collar ties that are 2 x 4s or 2 x 6s that run across. They are sort of banged on to the sides of the rafters. Those are members that are acting in tension

to keep the roof from spreading.

These members here, these collar ties, are the same thing. However, they are not acting in tension. They are acting, essentially, as compression braces and collar tie came from the collar bar on men's shirts that helped hold the collar together.

CHAIRPERSON GRIFFIS: Fascinating. And then your roof framing is 2 x 12s above that. Is that correct?

MR. SMITH: They are 9 and 1/2 inch TJI 350s, I believe. The roof framing of the penthouse roof structure is 2 x 12s.

CHAIRPERSON GRIFFIS: Oh, I got you. It's kind of hard to read to 8.5 x 11. Okay. Is that clear? I mean, I think this is important enough, because it seems like we're going to spend a lot of time on this to fully understand just the basics of it, so we know what we're looking at. If there are further questions, I would be happy to ask them if you don't want to. But it really gets to the point of, you know, what the Board is getting to, what I hear them struggling with is here you have this space that has got 6 feet 5 and change. Then you have got this other space and then you have this penthouse.

Well, I think there is some sort of

ATTACHMENT 5

DATE: 02/05/03
TO: ROBERT CHEN @ STRUCTURAL, RAVI SHANKAR @ MECK/PLUMB, FIRE REVIEWER (NO NAME PROVIDED)
FROM: NORMAN SMITH ARCHITECTURE
RE: RESPONSES TO YOUR PLAN CORRECTION LIST DATED 02/03/03 FOR JOB FILE # 314-B; 1819 BELMONT ST., N.W.

RESPONSES TO STRUCTURAL. LISTED BY YOUR NUMBERS:

1. DC SURVEYOR'S PLAT(S) WERE PROVIDED WITH ORIGINAL APPLICATION; REPLACEMENT COPIES WERE PROVIDED ON 02/03/03.
2. CLARIFY SPRINKLER: YOUR COMMENT IS UNCLEAR: THE SPRINKLER RISER IS NOTED ON PAGE SP/FP-1. ALL LEVELS OF THE BUILDING (INCLUDING BASEMENT, FIRST, SECOND, THIRD FOURTH, FIFTH, ATTIC AND STAIR AREA TO PRIVATE ROOF DECK ARE SERVED BY SPRINKLER RISER (SP ON THE DRAWINGS); INDIVIDUAL HEAD LOCATIONS AND SPRINKLER PIPE DRAWINGS WILL BE PROVIDED, AS USUAL, WITH THE FIRE PROTECTION/SPRINKLER SUBCONTRACTOR'S SHOP DRAWING SUBMITTAL TO DC.
3. CLARIFY NO. OF STORIES: THE BUILDING IS FIVE STORIES WITH ATTIC SPACE; THE BASEMENT IS NOT A STORY ABOVE GRADE UNDER BOCA DEFINITION FOR STORY ABOVE GRADE, 502.1 (DEFINITION OF STORY ABOVE GRADE, ITEM #2); THE ATTIC IS THE SPACE BETWEEN THE CEILING BEAMS AND THE RAFTERS PER BOCA DEFINITION FOR ATTIC, 1202.1 (DEFINITION OF ATTIC). ALTHOUGH THE BASEMENT IS NOT A STORY BY DEFINITION, BOCA SECTION 504.6 ALLOWS 6 STORIES (1 MORE THAN SHOWN) WHEN THE BASEMENT IS SEPARATED BY THE 3-HOUR ASSEMBLY NOTED IN THE DRAWINGS AND IN THE BUILDING CODE NOTES ON PAGE A-1.
4. NO OPENING W/IN 3 FT; THE GLASS BLOCK ASSEMBLY NOTED IS NOT AN OPENING IN THE WALL BUT IS A U.L. RATED 2-HOUR ASSEMBLY WHICH IS INOPERABLE AND IS A WALL ASSEMBLY AND MAINTAINS THE 2-HOUR WALL RATING. HOWEVER, FOR COST REASONS, THAT ASSEMBLY WILL BE DELETED FROM THE DRAWINGS WHICH WILL RESOLVE THIS ISSUE.
5. PROVIDE STL CERTIFCN; THE STRUCTURAL ENGINEER, AHMET OZUSTA, WILL PROVIDE THE REQUESTED LETTER.

RESPONSES TO FIRE

1. THE INCOMING WATER SUPPLY AND SIZING IS INDICATED ON THE WATER/SPRINKLER RISER ON PAGE SP/FP-1.
2. RE THE ABBREVIATIONS; FS = FLOW SWITCH, BFP = BACK-FLOW PREVENTOR, FDC = FIRE DEPARTMENT CONNECTION. THE LEGEND IS NOTED ON PAGE P-2; A COPY OF LEGEND WILL BE PROVIDED.

RESPONSES TO MECH/PLUMB

1. APPROVAL FROM WASA/BRYANT ST FOR WATER/SEWER AVAILABILITY WILL BE PROVIDED.
2. ELEVATOR (PRIVATE LIFT) REVIEW HAS BEEN APPROVED ON CONTROL BATCH SHEET SO THIS ISSUE IS RESOLVED.
3. DOH(DEPARTMENT OF HEALTH) DOES NOT HAVE PURVIEW OVER A 5 UNIT RESIDENTIAL CONDOMINIUM SO NO APPROVAL IS REQUIRED.
4. WATER RISER; THE WATER SUPPLY LINES ARE INDICATED IN PLAN WITH THE MAIN WATER RISER INDICATED ON THE WATER/SPRINKLER RISER ON PAGE P-2. ALTHOUGH WE HAVE NOT BEEN REQUIRED TO PROVIDE A COMPLETE WATER RISER DIAGRAM IN THE PAST FOR SIMILAR SIZE PROJECTS, WE WILL PROVIDE THIS.

ATTACHMENT 6

INTERIOR ENVIRONMENT

SECTION 1201.0 GENERAL

1201.1 Scope: The provisions of this chapter shall govern the means of light, *ventilation*, sound transmission control and rat-proofing required in all buildings.

1201.2 Buildings on same lot: Where more than one building is hereafter placed on a *lot*, or where a building is placed on the same *lot* with existing buildings and the several buildings are ~~treated as a single structure for the purposes of this chapter,~~ equivalent uncovered *lot* area or other adequate sources of light and *ventilation* shall be provided for all occupied buildings.

SECTION 1202.0 DEFINITIONS

1202.1 General: The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

Attic: The space between the ceiling beams of the top story and the roof rafters.

Court: An open, uncovered and unoccupied space on the same *lot* as a building where such space is enclosed wholly or partly by buildings, walls or other enclosing devices (see Section 1212.0).

Inner: Any *court* enclosed wholly by buildings, walls or other enclosing devices.

Outer: A *court* extending to and opening upon a street, public alley or other approved open space that is not less than 15 feet (4572 mm) wide, or upon a required yard.

Court height: The vertical distance from the lowest level of the *court* to the mean height of the top of the enclosing walls.

Court width: As applied to an *inner court*, means the least horizontal dimension. As applied to an *outer court*, means the shortest horizontal dimension measured in a direction substantially parallel with the principal open end of such *court*.

Habitable space: Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

Occupiable space: A room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational or similar purposes, or in which occupants are engaged in labor; and which is equipped with *means of egress* and light and *ventilation* facilities meeting the requirements of this code.

Vapor retarder: A material having a perm rating of 1.0 or less, such as foil, plastic sheeting, or insulation facing, installed to retard the passage of water vapor ~~or~~ moisture through the exterior envelope.

Ventilation: The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

Yard: An unoccupied open space other than a *court* (see Sections 1212.0 and 1213.0).

SECTION 1203.0 CONSTRUCTION DOCUMENTS

1203.1 General: *Construction documents* for all buildings and structures that are designed for human occupancy, other than buildings with occupancies in Use Groups I-1, R-2 and R-3, shall designate the number of occupants to be accommodated in the various rooms and spaces; where means of artificial lighting and *ventilation* are required, the application shall include sufficient details and description of the mechanical system to be installed as herein required or as specified in the mechanical code listed in Chapter 35.

SECTION 1204.0 ROOM DIMENSIONS

1204.1 Ceiling heights: *Habitable (spaces)* rooms, hallways, *corridors*, bathrooms, toilet rooms, laundry rooms and *habitable basements* shall have a ceiling height of not less than 7 feet (2134 mm) measured to the lowest projection from the ceiling.

Exception: In occupancies in Use Group R-3, the maximum projection below the required ceiling height of beams and girders spaced not less than 4 feet (1219 mm) on center shall be 6 inches (152 mm).

1204.1.1 Use Groups A, B, E and M: A clear height from the finished floor to the finished ceiling or lowest projection of not less than 7 feet 6 inches (2286 mm) shall be provided in all *exit access* and *occupiable rooms* of structures of Use Groups A, B, E and M.

1204.1.2 Sloping ceilings: If any room in a building has a sloping ceiling, the prescribed ceiling height for the room is required in one-half the area thereof. Any portion of the room measuring less than 5 feet (1524 mm) from the finished floor to the finished ceiling shall not be included in any computation of the minimum area thereof.