

***Attachment 1 to Appeal of Kalorama Citizens Association
to the Board of Zoning Adjustment regarding 1819 Belmont Road, N.W.¹***

A. How appellant is aggrieved by the administrative decisions being appealed

Appellant, a citizens' organization founded in 1919, has members throughout the Adams Morgan area, including members who live and own residences within 200 feet of 1819 Belmont Road, N.W. It is interested in protection of the architectural integrity and aesthetic values of the neighborhood in which this property is located. Consequently, it is interested in faithful adherence to the District's laws and regulations governing construction, including those relating to permissible height and density. In pursuit of these and related interests, KCA has been a party to proceedings before the Zoning Commission, the Board of Zoning Adjustment and other government agencies. For the reasons indicated below, the construction project underway at 1819 Belmont Road, N.W., adversely affects these interests.

B. Errors in the administrative decisions being appealed

(1) The plans on the basis of which these permits were issued call for a building height that, by virtue of the inclusion of a roof deck and banister structure, will exceed that allowed by the Height of Buildings Act (DC Official Code Secs. 6-601 to 6-601.09).

(2) The "roof structure" called for by the plans does not meet the requirement of the Height of Buildings Act (DC Official Code Secs. 6-601.01 to 6-601.09), 11 DCMR Sec. 400.7 and 11 DCMR Sec. 411.2 that it be set back from all exterior walls by a distance at least equal to its height above the roof.

(3) The portion of the building that the plans label as "attic" is not an attic under either the definition of "attic" contained in the BOCA Code (sec.1202.1), as asserted by the developers of this project, or that contained in Webster's Unabridged Dictionary, as incorporated into the Zoning Regulations by 11 DCMR Sec. 199.2(g). The revised FAR calculations submitted in support of the application for these permits fail to include the gross floor area of the portion of the building erroneously labeled as "attic", concealing the fact that the building exceeds the FAR allowed under 11DCMR 402.4.

C. How appellant intends to prove its case

Appellant will prove its case by reference to plans and other materials included in the DCRA file on the construction underway at 1819 Belmont Road, N.W., photographs of the site, and expert and other testimony.

¹ Attachments 2 and 3 follow.

Case No. 17109
Exhibit No. 6

Board of Zoning Adjustment
District of Columbia
CASE NO. 17109A
EXHIBIT NO. 6

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