

EXHIBIT I

**REAR YARD MEASUREMENT EXAMPLES ON LOTS OF A SIMILAR CONFIGURATION
TO 1827 ADAMS MILL ROAD, NW**

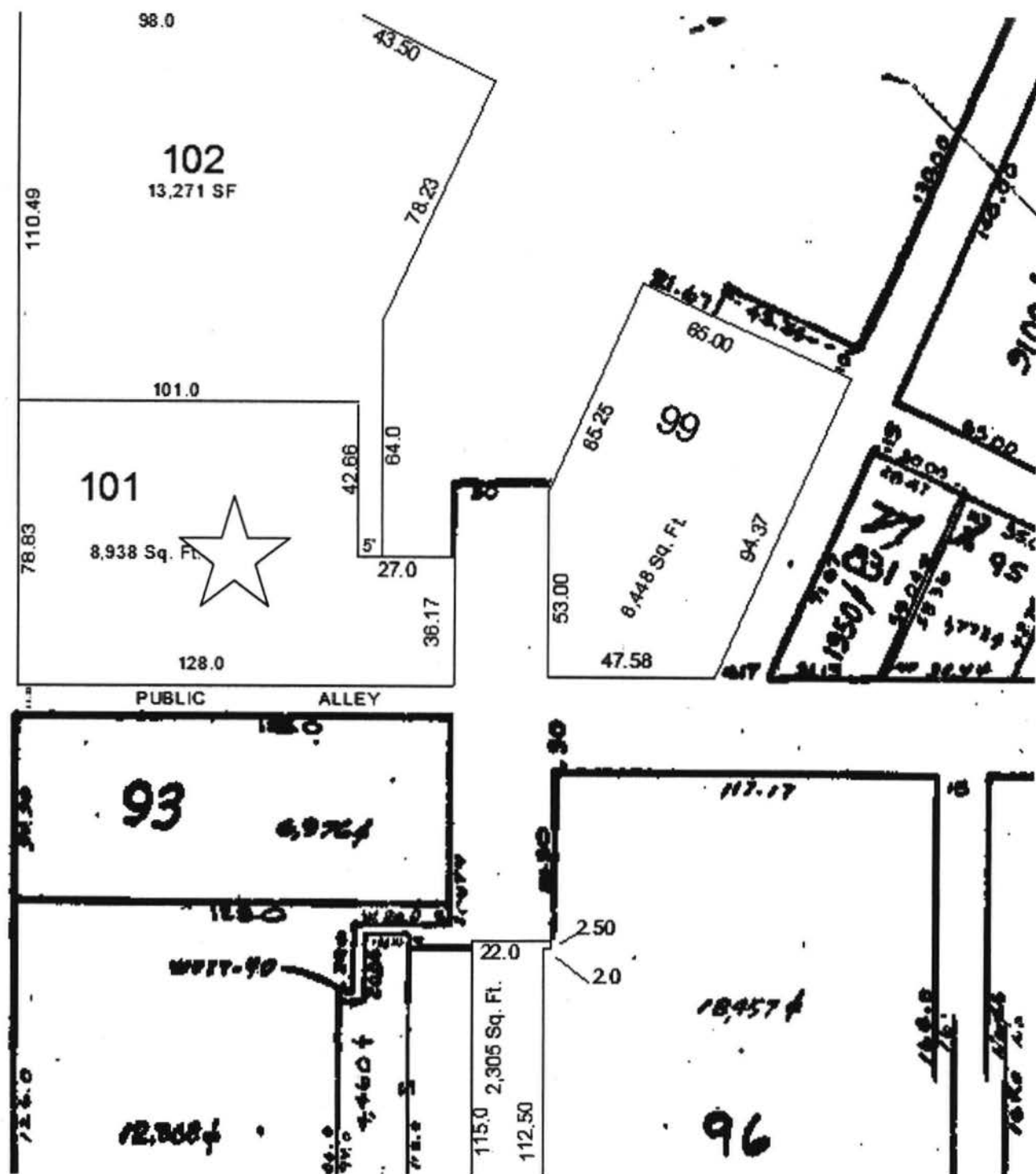
1121 14th STREET, NW

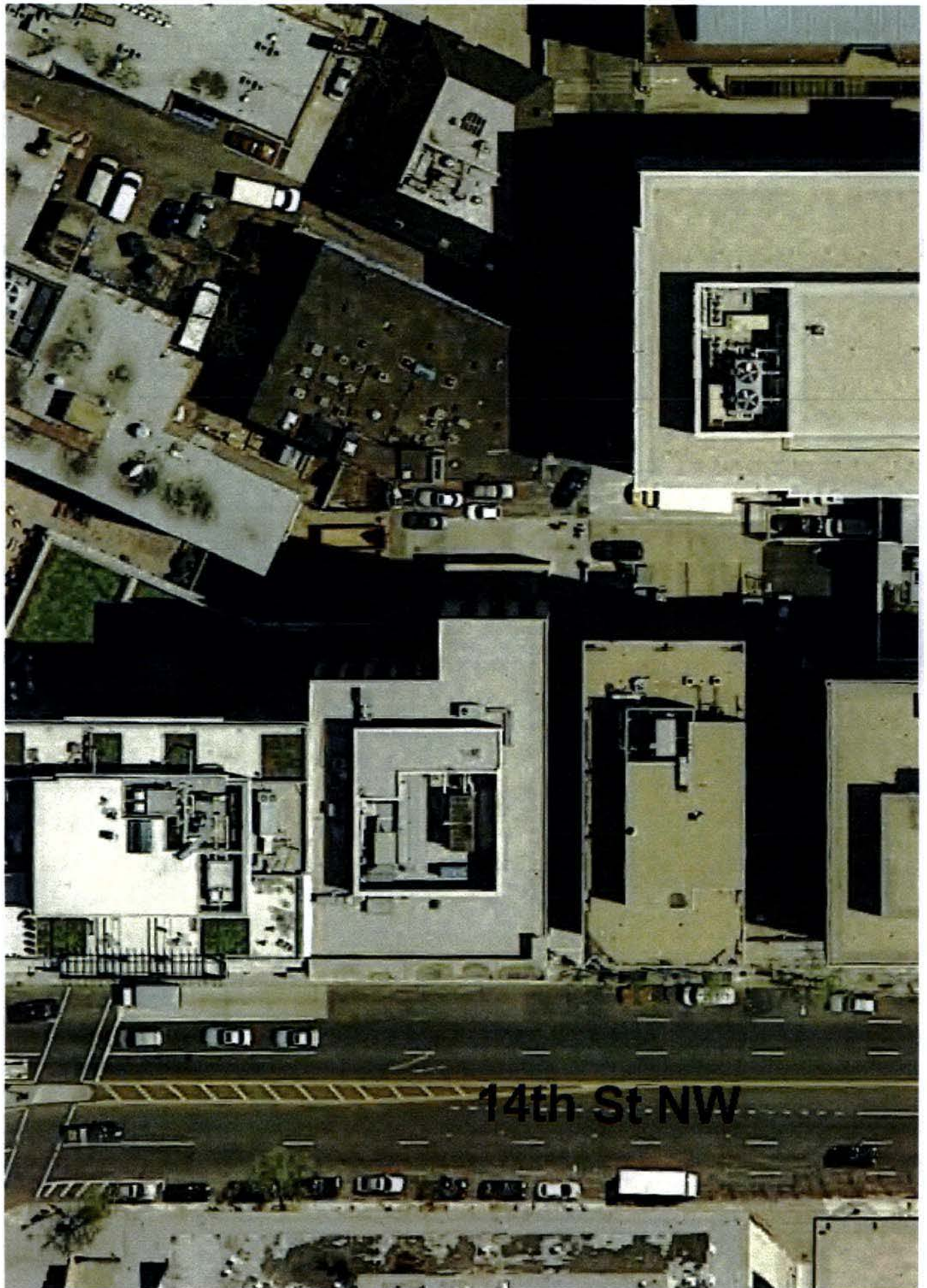
(SQ. 247, LOT 101)

C-4 ZONE

BZA ORDER NO. 16943 - CLOSED COURT VARIANCE

14th St NW





**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**



Application No. 16943 of Thomas P. Brown, III, James C. Brown and Raymond K. Brown, pursuant to 11 DCMR § 3103.2, for a variance from the closed court requirements under section 776, to permit the construction of an office building in the C-4 District at premises 1121 14th Street, N.W. (Square 247, Lots 868 and 869).

HEARING DATE: November 12, 2002
DECISION DATE: November 12, 2002 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of public hearing on this application, by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2F, the Office of Planning (OP) and to owners of property within 200 feet of the site. The site of the application is located within the jurisdiction of ANC 2F. ANC 2F submitted a letter in support of the application. The OP submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board required the applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance pursuant to 11 DCMR § 3103.2. No person or entity appearing as a party to this case testified in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, and 776, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the 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. It is therefore **ORDERED** that this application be **GRANTED**.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law.

VOTE: **5-0-0** (Geoffrey H. Griffis, Curtis L. Etherly, Jr., Anne M. Renshaw, David A. Zaidain, and Anthony J. Hood to approve).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT
Each concurring Board member has approved the issuance of this order.

ATTESTED BY:


JERRILY R. KRESS, FAIA
Director, Office of Zoning

FINAL DATE OF ORDER: NOV 22 2002

PURSUANT TO 11 DCMR § 3125.6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ. (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL

BZA APPLICATION NO. 16943

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AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

2590 L STREET, N.W.

(SQ. 15, LOT 830)

C-2-C AND R-5-E ZONES

NO BZA OR ZONING COMMISSION RELIEF

SEE EXHIBIT H - ZONING ADMINISTRATOR RULINGS

[illegible]

167.0



1255 22nd STREET, NW

(SQ. 70, LOT 193)

DC/CR ZONE

NO BZA OR ZONING COMMISSION RELIEF

170.76	18.15
400	

IN 21ST CENTURY



1233 20th STREET, NW

(SQ. 116, LOT 76)

DC/C-3-C ZONE

NO BZA OR ZONING COMMISSION RELIEF

1234 19th STREET, N.W.

(SQ. 116, LOT 72)

DC/C-3-C ZONE

NO BZA OR ZONING COMMISSION RELIEF

MN[illegible]

19th St NW



1666 K STREET, N.W.

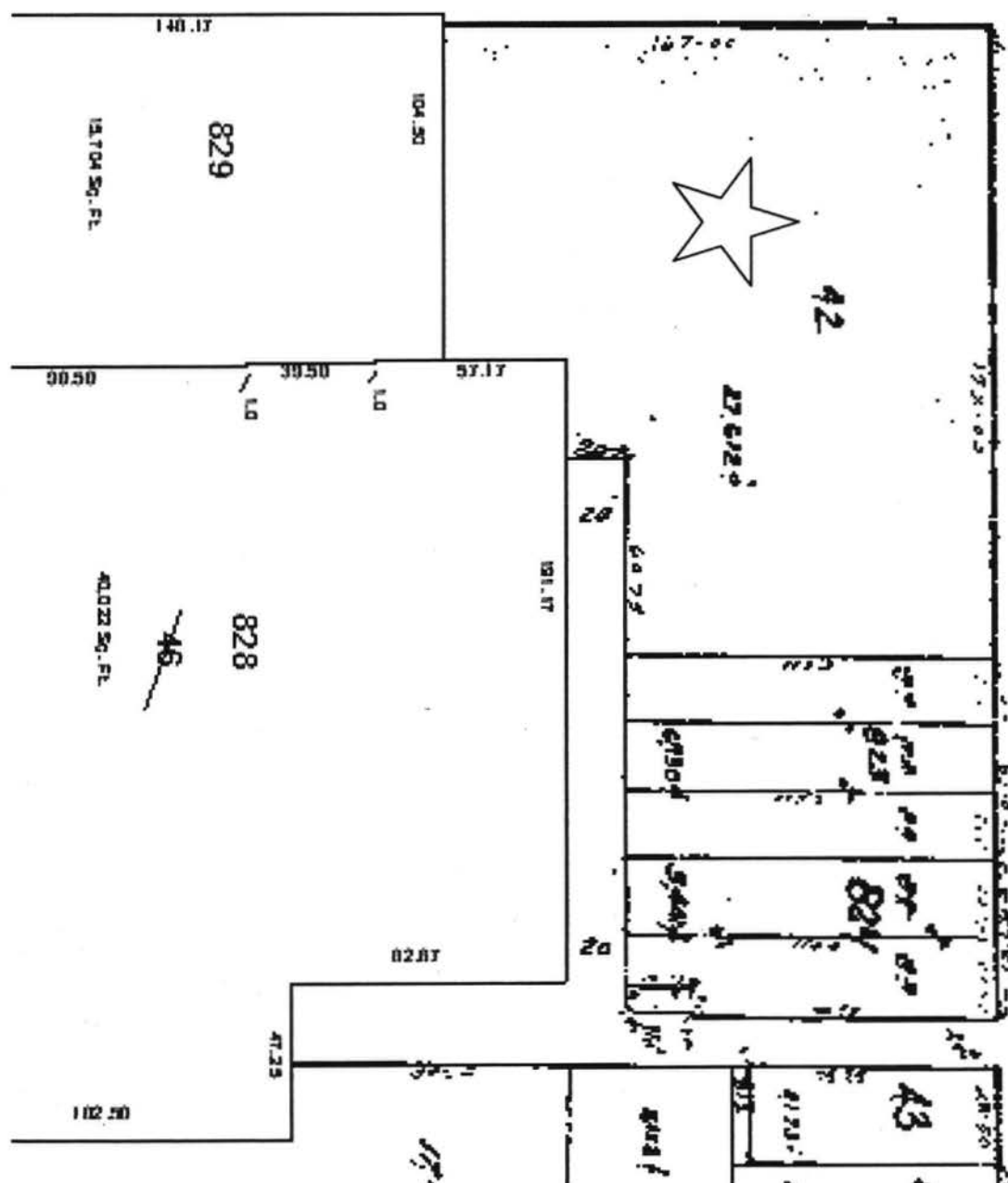
(SQ. 185, LOT 42)

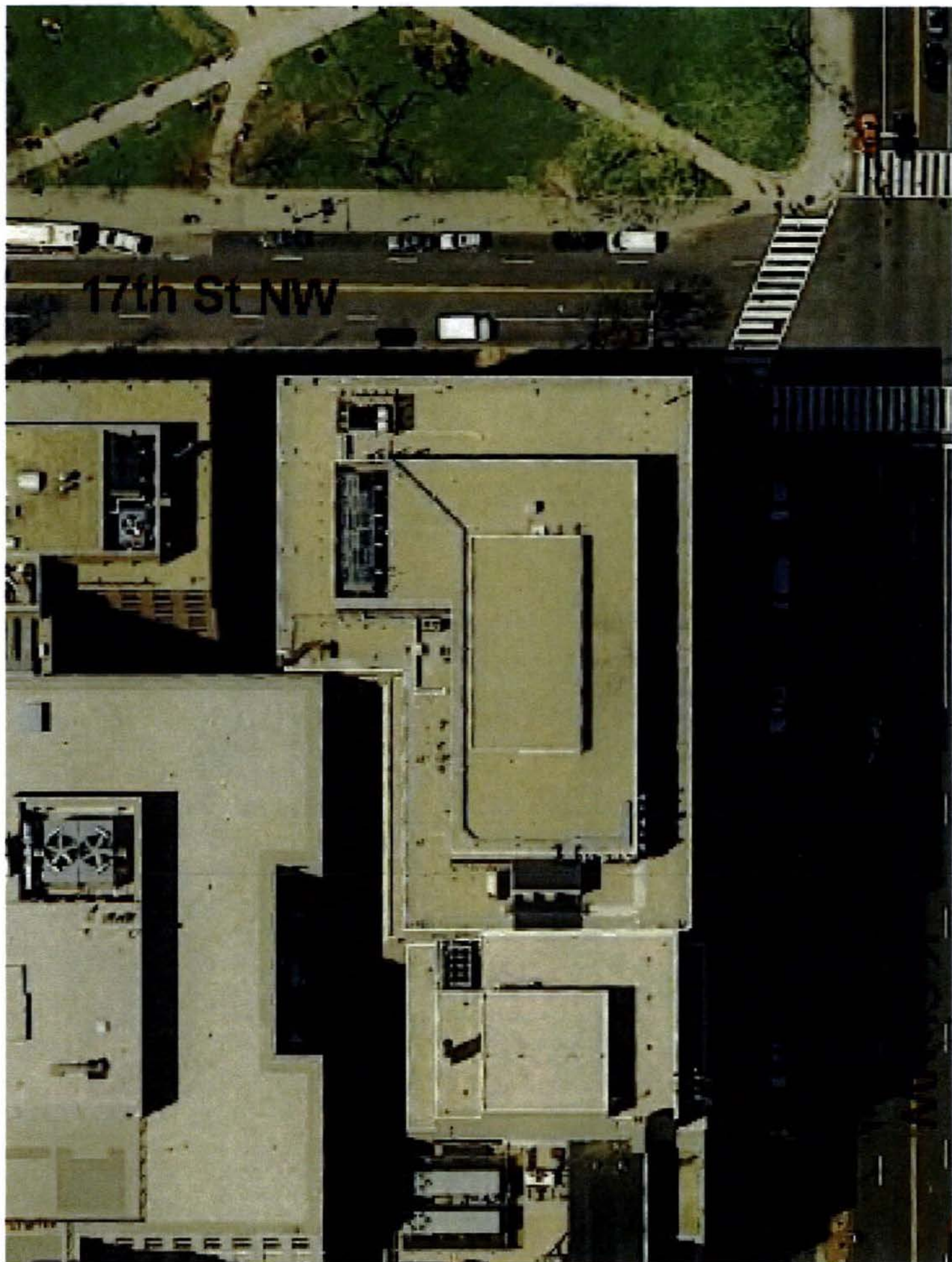
C-4 ZONE

BZA ROOF STRUCTURE SPECIAL EXCEPTION AND COURT VARIANCE RELIEF

100-443887-1

K St NW





Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- January 12, 1972

Appeal No. 10891 1620 K Street Associates, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with the absence of Mr. Mackey, the following Order of the Board was entered at the meeting of January 18, 1972.

EFFECTIVE DATE OF ORDER - February 28, 1972

ORDERED:

That the appeal for permission to erect office building with roof structures in accordance with Section 3308 at 1666 K Street, N. W., lots 35, 40, 804-806, and 822 in Square 185 be GRANTED.

FINDINGS OF FACT:

1. The subject property is located in a C-4 District.
2. The property is improved with an office building.
3. Appellant filed an application on July 9, 1971 which contained two appeals; first, for a roof structure under Section 3308 and, second, for a closed court under Section 5303.5.
4. The appeal was advertised for the September 15, 1971 hearing but the advertisement did not include the second part of the appeal about the closed court.
5. On November 23, at its executive meeting, the Board unanimously decided to re-advertise the appeal since the closed court had not originally been advertised.
6. In the advertisement dated December 30, 1971, only the roof structure was mentioned specifically but the Board at the public hearing on January 12, 1972 allowed appellant to amend its appeal to include the closed court under Section 5303.5.

7. Appellant stated that a hardship exists because the lot is an L-shaped corner lot abutting two existing buildings and strict application of the width requirements of the Regulations would result in a closed court of considerably less area and more restrictive of light and air than the court proposed.

8. The appellant stated that the material and color of the roof structure shall be of white pre-cast which is the same as the facade of the building which also includes natural stone and tinted glass.

9. The penthouse shall house stairs, elevators and mechanical equipment.

10. The F.A.R. of the building without roof structure is 10.0.

11. The allowable area of roof structure is .37/10,216.

12. The proposed closed court needs a variance for area and width (See memo from Deputy Director).

13. The non-required open court needs a variance for width (See memo from Deputy Director).

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

OPINION:

We are of the opinion that the 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.

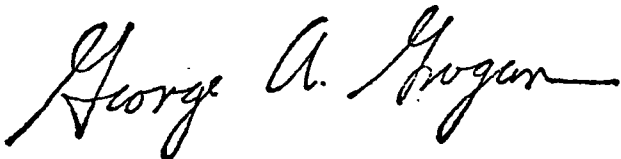
Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Appeal 10891
February 28, 1972
Page 3

The Board concludes that the roof structures of this proposed office building will harmonize with the street frontage of the building in architectural character, material, and color. The roof structures are in harmony with the purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of nearby and adjoining property.

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

ATTESTED:

By: 

GEORGE A. GROGAN
Secretary of the Board

THAT 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 WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A
PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

1100 G STREET, N.W.

(SQ. 320, LOT 815)

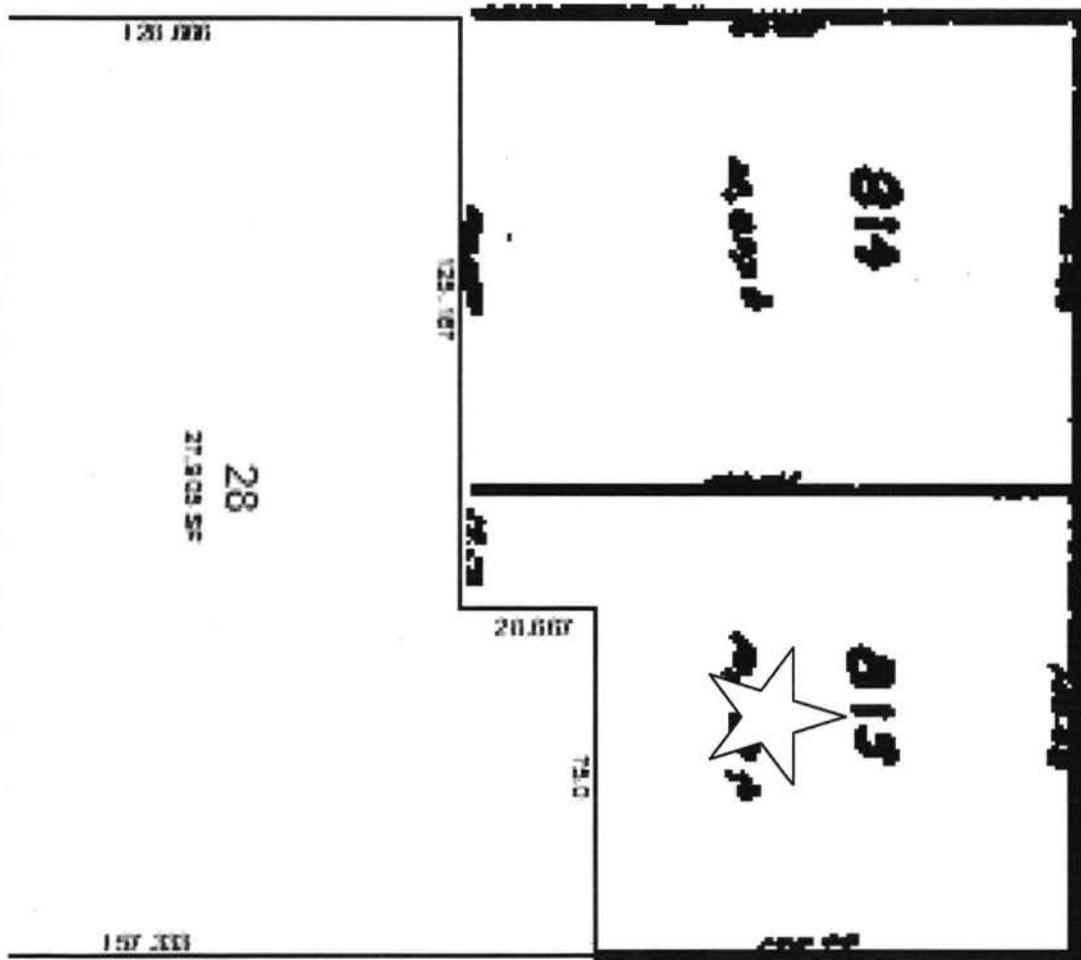
DD/C-4 ZONE

NO BZA OR ZONING COMMISSION RELIEF

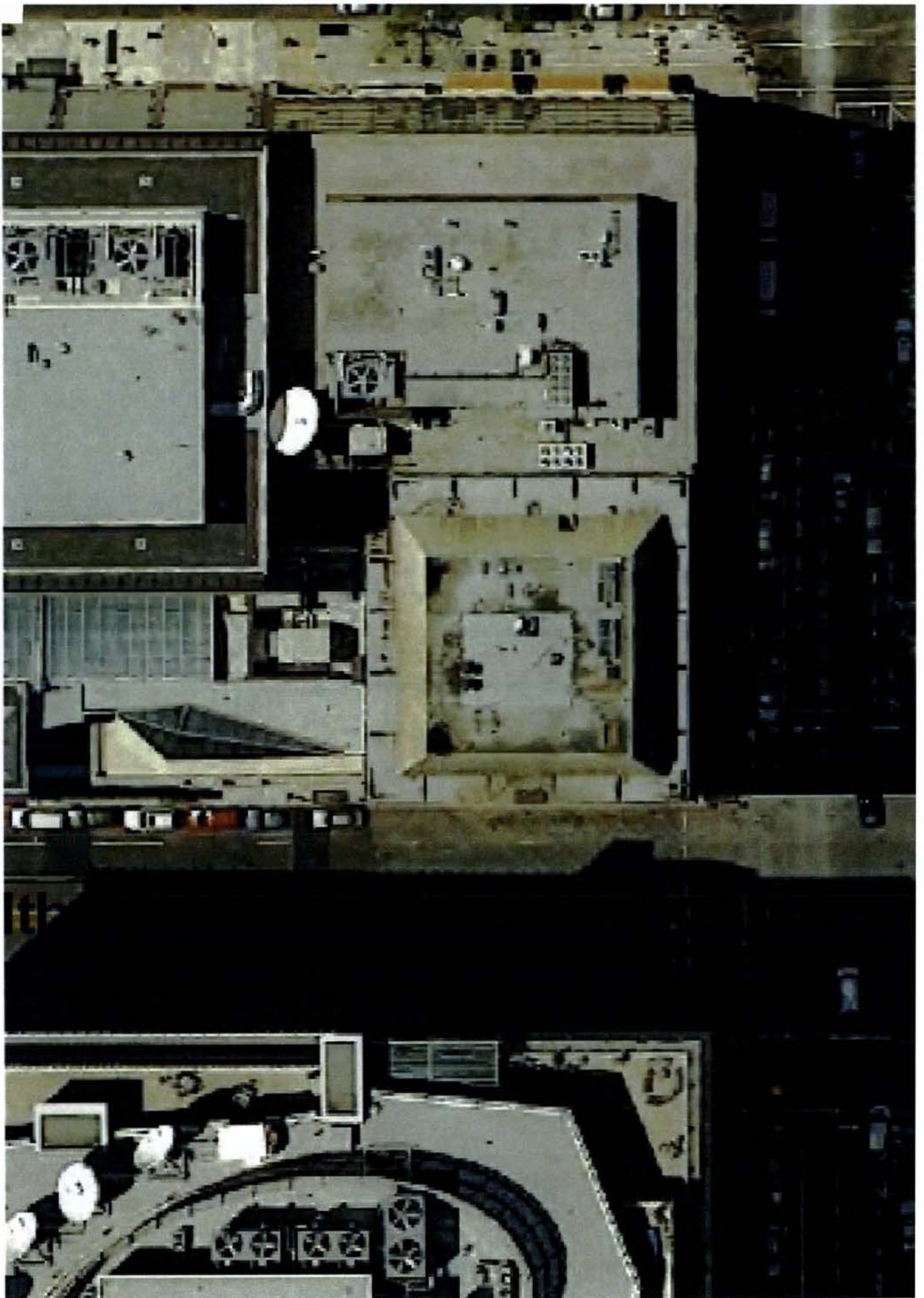


12th St NW

G St NW



11th St NW



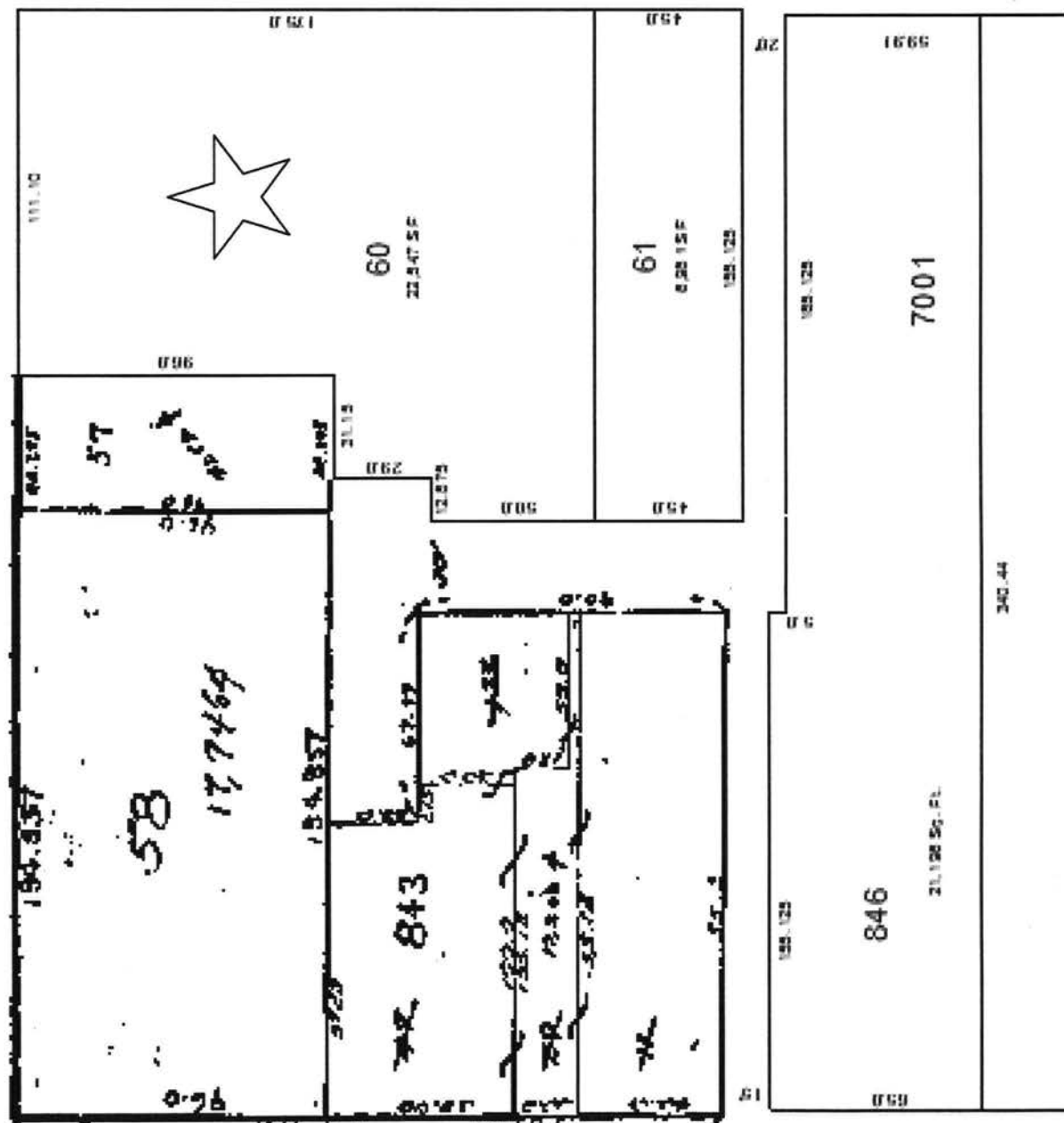
730 12th STREET, N.W.

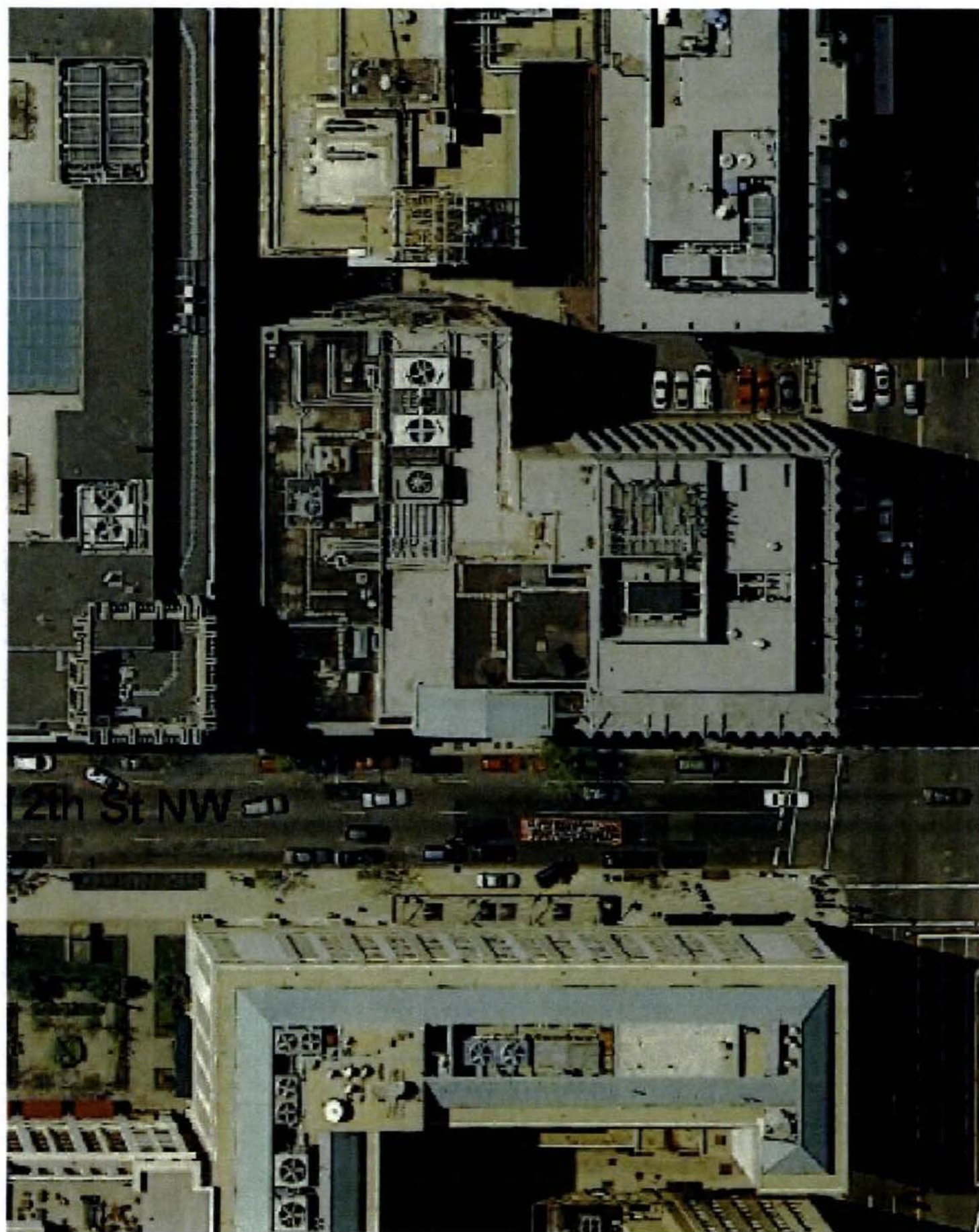
(SQ. 288, LOT 60)

DD/C-4 ZONE

BZA RELIEF FOR ROOF STRUCTURE

12th St NW





Before the Board of Zoning Adjustment, D.C

PUBLIC HEARING - February 9, 1972

Appeal No. 11069 C & P Telephone Company, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of February 15, 1972.

EFFECTIVE DATE OF ORDER - March 29, 1972

ORDERED:

That the appeal for roof structure in accordance with Section 3308 on addition to Chesapeake and Potomac Telephone building located at 734-40 - 12th Street and 1200-08 H Street, NW., Lots 30,31,823,824, and part of alley closed, Square 288, be granted.

FINDINGS OF FACT:

1. The subject property is located in a C-4 District.
2. The appellant request permission to erect roof structures in accordance with Section 3308 of the Zoning Regulations on addition of the C & P Telephone building.
3. The proposed structure is to be an office building, eight (8) stories in height.
4. The lot area is 29,512.6 square feet with allowable area of roof structure 10,919.6 square feet.
5. The area of the roof structure is 9,324 square feet with the allowable building FAR 8.5.
6. The composition of the roof structure will be mechanical equipment, stairs and elevator machine rooms.
7. The material and color of the street facade is to be granted identical with penthouse wall.

Appeal No. 11069
March 29, 1972
PAGE 2

8. The material and color of the roof structure shall be granted identical to street facade of the main building. The walls along alley to brick to match main building wall along alley line.

9. The lot area includes Lots 825,22 and 23, Square 288.

10. The penthouse area includes existing penthouse above seventh (7th) story.

11. The elevators and all related service equipment is placed in one enclosure and harmonizes with the main structure in architectural character, material and color according to the report dated February 25, 1972.

12. There was no opposition to the granting of this appeal registered at the public hearing.

OPINION:

The technical requirements of contemporary communications and the fact that this is an addition to an existing building would make it impractical because of operating difficulties to locate these elevators and related service equipment in any location other than that shown on the approved plans. It would be unduly restrictive, extremely prohibitive in cost and unreasonable to relocate these services elsewhere in the building.

It is the Board's opinion that the variance and location of the roof structure from that requirement in the D.C. Zoning Regulations, Section 5201.23, does materially impair the intent and purpose of Section 3308.21 and the light and air of adjacent structure is not adversely affected.

Appeal No. 11069
March 29, 1972
PAGE 3

The Board concludes that the roof structures of this proposed office building will harmonize with the street frontage of the building in architectural character, material and color. The roof structures are in harmony with the purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of nearby and adjoining property.

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

ATTESTED:

By: _____
GEORGE A. GROGAN
Secretary of the Board

THAT 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 WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

1333 H STREET, N.W.

(SQ. 250, LOT 46)

C-4 ZONE

NO BZA OR ZONING COMMISSION RELIEF

1301 NEW YORK AVENUE, N.W.

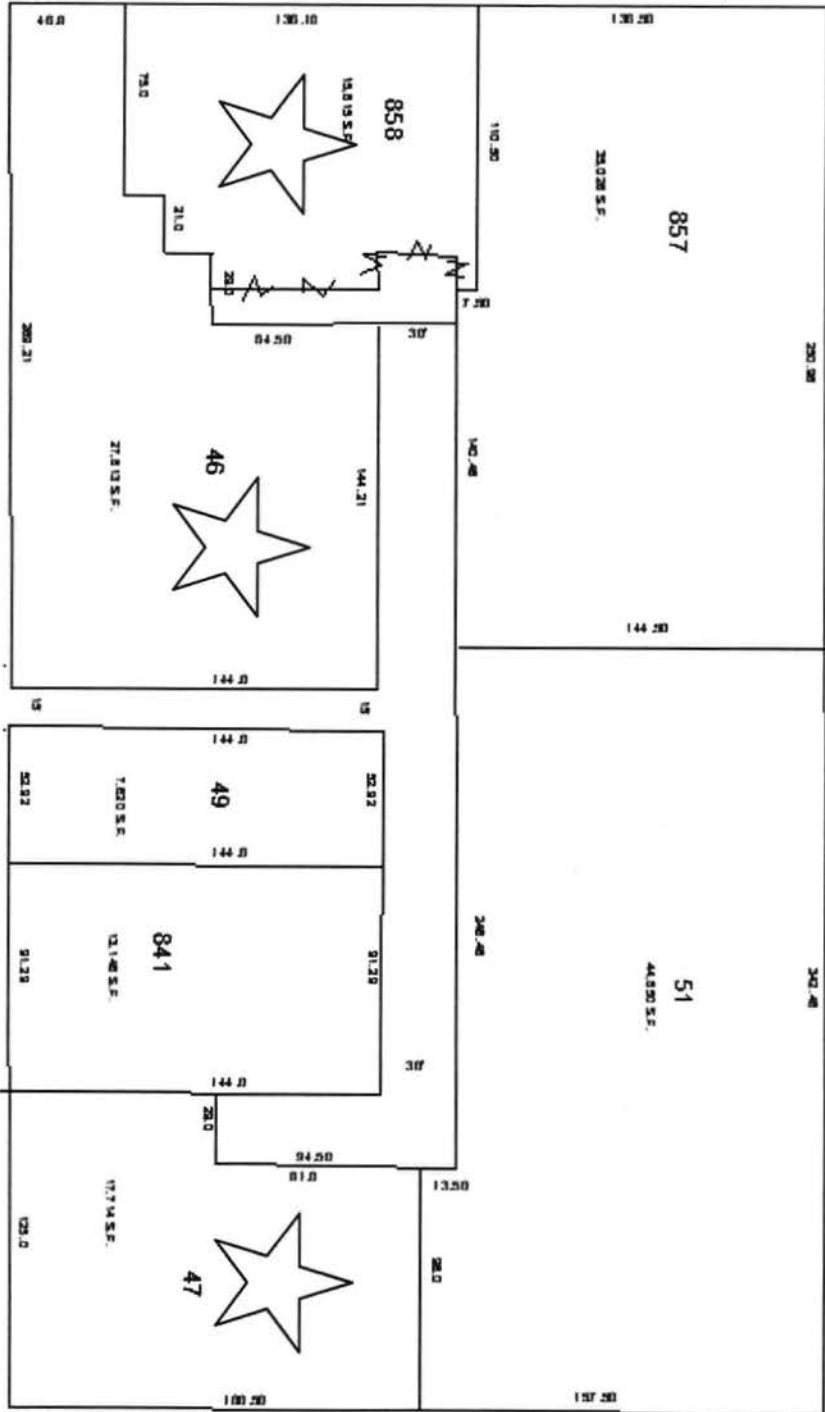
(SQ. 250, LOT 47)

C-4 ZONE

NO BZA OR ZONING COMMISSION RELIEF

14th St NW

I St NW



13th St NW

H St NW



