

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - July 15, 1970

Appeal No. 10463 The American Institute of Architects, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with Mr. McIntosh dissenting, the following Order of the Board was entered at the meeting of July 21, 1970.

EFFECTIVE DATE OF ORDER - December 30, 1970

ORDERED:

That the appeal for permission to erect SP office building with roof structures, to reduce required off-street parking, parking on lot other than that upon the building is located, and variance from the rear yard, court and set back requirements for roof structures at 1729 and 1735 New York Ave., N.W., lots 840 and 842, Square 170 be granted.

FINDINGS OF FACT:

1. The subject property is located in an SP District.
2. The subject property is improved with a three (3) story, attic and basement building known as the Octagon "House" which will remain in place and the appellants present headquarters building which will be razed.
3. Appellants propose to construct a seven (7) story office building, three (3) floors of which will contain offices for its staff, conference rooms, a library, and exhibition areas for architectural exhibits; and four (4) floors of which will constitute offices leased to other non-profit organizations and professional persons. The proposed building will also contain an underground parking garage.
4. Appellants alleged that the area of the lots is 29,588 square feet and the area of the building will be 18,992 square feet. The total area of the roof structure will be 5,985 square feet and the F.A.R. of the building without roof structure is 127,000 square feet. The F.A.R. of the roof structure will be 5,985 square feet.

5. The appellants further alleged as additional facts: Permissible F.A.R. 162,734 square feet (5.5) + 3,550 square feet (.12) = 166,284. 33,000 + square feet of F.A.R. not used. The only portions not set back on 1 to 1 ratio are the stairway penthouse approximately 17' x 22', and elevator penthouse approximately 39' x 11'.

6. The penthouse will house mechanical equipment in principal penthouse, approximately 11 feet above parapet; elevator penthouse, 3 feet above parapet; stairway penthouse, 11 feet above parapet.

7. The material and color of the roof structure and street facade of the proposed building will be medium dark grey exposed aggregate concrete.

8. Appellant also seeks a variance from the rear yard requirements of the SP District and requests to designate the 18th Street side of the proposed building as the front. He also requests permission to consider the New York Avenue side of the property as the rear of the building and measure the depth of rear yard from the center line of New York Avenue as is permitted by Section 4303.14 in the cases of a through lot or corner lot abutting three or more streets.

9. There is a ten foot wide public alley on the north side of the property and a ten foot wide private alley on the east side of the property.

10. The National Park Service of the Department of Interior states that the new headquarters building has been designed to maintain adequate open space behind the Octagon House to preserve its dignity and beauty, and urged the Board to grant appellants' appeal as outlined in its application.

11. The Department of Highways and Traffic offered no objection to the granting of this appeal.

12. This appeal was filed and heard under plans by Norman Fletcher and John Hackness, Architects, drawings A-11 and A-12 approved

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as noted by Mr. Arthur P. Davis, Member of the Board on October 16, 1970 (See BZA Exhibit No. 23A).

13. The request for a waiver of the parking requirements was withdrawn by appellants after a change in the building layout. Appellants now meet all of the requirements of Article 72 of the Zoning Regulations as to parking.

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

OPINION:

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.

We are also of the opinion that due to the shape of the property and the exceptional and extraordinary situation arising from the importance of preserving the historical Octagon House by providing adequate space behind it, a rear yard as required by the Zoning Regulations will result in peculiar and exceptional practical difficulties and exceptional and undue hardship upon the appellants. We are further of the opinion that light and air to adjoining properties will not be affected adversely by the erection of this building.

In view of the situation and conditions of this property, it is our further opinion that this 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.

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

ATTESTED:

By: _____



PATRICK E. KELLY
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 DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

Before the Board of Zoning Adjustment, D.C

PUBLIC HEARING - July 15, 1970

Appeal No. 10463 The American Institute of Architects, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried, with William F. McIntosh dissenting, the following AMENDMENT in the Order of the Board was entered at the meeting of December 15, 1970.

EFFECTIVE DATE OF AMENDMENT - January 11, 1971

ORDERED:

That the appeal for permission to erect SP office building with roof structures, to reduce required off-street parking, parking on lot other than that upon which the building is located, and variance from the rear yard, court and set back requirements for roof structures at 1729 and 1735 New York Avenue, NW., Lots 840 and 842, Square 170, having been granted, the Order effective December 30, 1970, is amended by adding the following condition:

The appellant shall provide covenants for the underground vault parking which extends into Lot 841 and owned by American Institute of Architects Foundation, Inc.

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

ATTESTED:

By: _____


PATRICK E. KELLY
Secretary of the Board

THAT THE AMENDMENT IN 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 DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS AMENDMENT.