R I X E Y - R I X E Y A R C H I T E C T S

Mr. Denzil L. Noble, Administrator
Building and Land Regulation Administration
941 North Capitol Street NE
Suite 2000
Washington, DC 20002

re: 1680 31st Street NW 15 December 03

Dear Mr. Noble,

This letter is written in support of the attached construction code variance/modification for the above referenced property. The application is requesting permission to enclose an existing second floor roof terrace with a glass conservatory, which will be unconditioned, for the following reasons:

1. The permit was denied because the proposed enclosure is 3' from the side property line. The existing condition with the open roof terrace is in compliance and/or is "grandfathered", and is not being altered. The enclosure of unconditioned space does not alter the existing condition.

2. While the proposed enclosure is 3' from the side property line, it is 15' + from the nearest building. The total glass area on the side elevation, including the proposed conservatory, is less than 15% of the wall surface. Code allows up to 25% glazing with 15'+ of separation.

3. The purpose of the enclosure is to allow handicapped access for the owner between the split levels of the second floor.

4. The property is subject to approval by several historic review boards, and the proposed enclosure has been approved unanimously by those boards.

On behalf of the owners, I respectfully request that the variance/modification be granted.

Sincerely,

Douglas Rixey, AIA

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P. O. BOX 3750 WASHINGTON, DC 20007 - 0250 202 - 333 - 2626

BZA
Case No. 17161
Exhibit No. 12

Board of Zoning Adjustment
District of Columbia
CASE NO. 17161
EXHIBIT NO. 12

BUILDING AND LAND REGULATION ADMINISTRATION

CONSTRUCTION CODES/VARIANCE/MODIFICATION APPLICATION

DATE: 16·DEC·03

APPLICATION NUMBER: 003-138-12

Type of Construction: BRICK
Height of Construction: 2/3 STY
Construction Valuation: $20,000
Use Group: RESIDENTIAL (GPD)
Lot: 31 Square: 1291
Gross Floor Area: 9743 SF
Sprinklered YES [ ] NO [X]
Standpipe YES [ ] NO [X]
Fire Alarm YES [X] NO [ ]
Plans Attached YES [X] NO [ ]

CHIDWELL D. LANGHORNE, JR. 333.7417
Owner's Name / Phone Number
1680·31ST STREET NW, WASH., DC 20007
Owner's Address / Zip Code
DOUGLAS RIXEY, AIA 202·333·2626
Agent's Name / Phone Number
P.O. BOX 3750, WASH., DC 20007
Agent's Address / Zip Code
1680·31ST STREET NW
Project Address

Project or Permit Number: B474906

In accordance with Section 106.2 of the District of Columbia Construction Code Supplement of 1999, DCMR 12A, as amended, I hereby request a variance/modification to The D.C. Construction Codes, specifically (Code) BOCA Section Number 705 Section Title EXTERIOR WALLS *
In order to accommodate the following special circumstances or hardship: GLASS CONSERVATORY ENCLOSURE OF EXISTING SECOND FLOOR ROOF TERRACE - NO CHANGE TO CODE COMPLIANCE OF EXISTING STRUCTURE RE: FIRE SEPARATION -
PLEASE SEE ATTACHED LETTER

As an alternative means of compliance with the regulation specified above, I propose to:
PLEASE SEE ATTACHED LETTER

This proposal meets the spirit of intent of the Code specified above because: THE EXISTING SETBACK AND FIRE SEPARATION ARE MAINTAINED.

I, the owner/owner's agent, assume full responsibility for non-compliance to said Code section(s) and render the D.C. Government harmless for any consequent liabilities.

Waiver request is based on: Application denial YES [X] NO [ ]; Plan review comments YES [X] NO [ ]; Field Inspection disapproval YES [ ] NO [ ]; Other YES [ ] NO [ ]

Barbara Langhorne — Owner's Signature
Agent's Signature
DOUGLAS RIXEY, AIA — Contact Person
202.333.2626 Phone
2/333-0688

* PLEASE CONFIRM WITH MR. CHEN

FOR OFFICIAL USE ONLY

Reviewed by: _____ Date: _____ Recommendation: ☐ Approve ☐ Disapprove

COMMENTS: Approved as requested.

☑ Approve
☐ Disapprove

Authorized Code Official — 1/5/04 Date

STATEMENT OF CONDITIONS OF BUILDING AND WAIVER

(APPLICANT MUST COMPLETE THIS WAIVER APPLICATION SUPPLEMENTAL FORM THROUGH ITEM 21)

Project Address: 1680 - 31 ST STREET NW

Lot 31 Square: 1291 Date of Waiver Application: 15-DEC-03

AFFIDAVIT

The information on the building, the premises and the project for which I am applying for a waiver, provided hereafter, to the best Of my knowledge is complete and correct.

Signature [signature] Name (print): DOUGLAS RIXEY, AIA

DATA ON BUILDING

1. HEIGHT OF BUILDING: 2/3 STORIES ABOVE GRADE.

2. FLOOR OF TOPMOST STORY IS 25 FEET ABOVE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS.

3. TYPE OF CONSTRUCTION *(Circle one)*:

1A 1B 2A 2B 2C 3A (3B) 4 5A 5B

4. USE GROUPS IN THE BUILDING *(Circle all applicable)*:

A-1 -A A-1-B A-1 A-2 A-3 A-4 A-5

B E F F-1 F-2 H I-1 I-2

I-3 M R-1 R-2 (R-3) S-1 S-2 U

5. AREA OF LARGEST FLOOR: 4590 SQUARE FEET

6. EXISTING FIRE SUPPRESSION SYSTEMS (Check ALL applicable):

- ☐ FULLY SPRINKLERED BUILDING
- ☐ PARTIALLY SPRINKLERED BUILDING (Specify below)
- ☒ NO SPRINKLER SYSTEM
- ☐ HALON SYSTEM (Indicate location below)
- ☐ FULL STAND PIPE COVERAGE
- ☒ NO STAND PIPES
- ☐ OTHER (Specify below)

7. NUMBER OF FLOORS BELOW GRADE: 1

8. WINDOWLESS BASEMENT LEVELS ? (Check one):

☐ NO ☒ YES

If Yes, which ? (circle all applicable)

(B1) B2 B3 B4 B5 B6

9. EXISTING FIRE PROTECTIVE SIGNALING SYSTEMS *(Check one)*:

- ☐ VOICE ALARM SYSTEM
- ☐ AUDIO/VISUAL ALARM SYSTEM
- ☐ AUDIBLE ALARMS ONLY
- ☒ NONE

10. EXISTING FIRE PROTECTIVE SIGNALING SYSTEM INITIATING DEVICES (Check all applicable):

- ☐ MANUAL PULL STATION ONLY
- ☐ PULL STATION AND AUTOMATIC DETECTION DEVICES:
  - ☒ SMOKE DETECTORS
  - ☒ HEAT DETECTORS
  - ☐ SPRINKLER FLOW SWITCHES
  - ☐ TAMPER SWITCHES
- ☐ NONE

11. EXISTING EMERGENCY POWER BACKUP SYSTEM (Check all applicable):

- ☐ GAS FIRED OR DIESEL DRIVEN EMERGENCY GENERATOR
- ☐ CENTRALIZED INVERTER SYSTEM (BATTERY PACK)
- ☐ UNINTERRUPTIBLE POWER SYSTEM (UPS)
- ☐ UNIT BATTERY PACKS.
- ☒ NONE

12. EXISTING FIRE PUMP (Check one):

- ☐ ELECTRIC MOTOR DRIVEN
- ☐ ENGINE DRIVEN
- ☒ NONE

13. EXISTING ELEVATOR EQUIPMENT (Check all applicable):
- ☐ ELEVATOR RECALL, PHASES I AND 2
- ☐ ELEVATOR POWER BACKUP
- ☒ WHEELCHAIR ACCESSIBLE CABS
- ☐ ELECTRIC ☒ HYDRAULIC ☐ NONE

14. EXISTING SPECIAL LOCKING ARRANGEMENTS (Check all applicable and circle applicable floors):
- ☐ YES (Complying with Section 812.5.7
- ☐ YES (Special approval) ☒ NONE

B6 B5 B4 B3 B2 B1 1 2 3 4 5 6 7 8 9 10 11 12 13 14

15. EXISTING SPECIAL CONDITIONS (Check all applicable):
- ☐ ATRIUM BUILDING ☐ MALL BUILDING
- ☐ PRESSURIZED STAIRWAY ENCLOSURES
- ☐ MECHANICAL SMOKE CONTROL SYSTEM
- ☐ COMMERCIAL KITCHEN EXHAUST SYSTEM
- ☒ NONE OF THE ABOVE

16. WHEELCHAIR ACCESSIBILITY (Check all applicable)
- ☒ ACCESSIBLE ENTRANCE TO BUILDING
- ☒ ACCESSIBLE ELEVATOR TO ALL FLOORS
- ☐ LIMITED ELEVATOR ACCESSIBILITY
- ☐ ACCESSIBLE TOILET FACILITIES THROUGHOUT BUILDING
- ☒ LIMITED ACCESSIBILITY OF TOILET FACILITIES
- ☐ WHEELCHAIR LIFTS
- ☐ WHEELCHAIR ACCESSIBLE PARKING FACILITIES
- ☐ LIFT-EQUIPPED VAN PARKING SPACES
- ☐ NONE OF THE ABOVE

Waiver Data
(Check one for each question)

17. HAS ANY OTHER WAIVER(S) BEEN GRANTED TO THIS BUILDING?
☒ No ☐ YES ☐ UNKNOWN
If Yes, provide number of Waiver Request(s): _____

18. IS THERE ANY OTHER WAIVER REQUEST(S) PENDING FOR THIS BUILDING ?
☒ No ☐ YES ☐ UNKNOWN
If Yes, provide number of Waiver Request(s): _____

DATA ON CURRENT PROJECT

19. FLOOR LEVELS INVOLVED IN CURRENT CONSTRUCTION PROJECT (Circle all applicable):

B6 B5 B4 B3 B2 B1 1 2 3 4 5 6 7 8 9 10 11 12 13 14

20. FLOOR LEVELS AFFECTED BY PRESENT WAIVER REQUEST (Circle all applicable):

B6 B5 B4 B3 B2 B1 1 2 3 4 5 6 7 8 9 10 11 12 13 14

705 - EXTERIOR WALLS (OPENINGS)

21. CODE SECTION FROM WHICH WAIVER IS BEING REQUESTED

_____ CODE, SECTION # _____

OFFICIAL USE ONLY
CONDITIONS OF APPROVAL OF WAIVER REQUEST

A. SPRK. FLRS.: [ ] FUL.:B6-B5-B4-B3-B2-B1-1-2-3-4-5-6-7-8-9-10-11-12-13-14, [ ] PRT.: B6-B5-B4-B3-B2-B1-1-2-3-4-5-6-7-8-9-10-11-12-13-14, [ ] FUL.SPRK.BLDG.

B. [ ] SMK.DET.: [ ] F.A.CON. , [ ] HD.WR.SGL.ST.; [ ] BAT.SGL.ST.

C. [ ] TYP.CNST.UPGR.: A 2A 2B 3A 5A

D. [ ] EXT.STOP.: [ ] THRU.BLDG., [ ] FUL.FLR. COV.: B6-B5-B4-B3-B2-B1 1-2-3-4-5-6-7-8-9-10-11-12-13-14

E. [ ] FPSS UPGR.: [ ] VC.; [ ] AUDNIS; [ ] AUD.

F. [ ] FPSS ADD. DEV.: [ ] SD, [ ] HID, [ ] SFS, [ ] TS

G. [ ] EN.BKUP.UPGR.:[ ] GEN.; [ ] INV.; [ ] UPS; [ ] UNIT BP

H. [ ] F.PP.; [ ] EL.J [ ] DISL-; [ ] GAS

I. [ ] ELV.UPGR.: [ ] REC.; [ ] PWR.BKUP.; [ ] ACC. CAB; [ ] ACC.CTRL.

J. OTHER: [ ] ST.PR.; [ ] RMP.; [ ] CH.LF.; [ ] UNSX.ACC.TLT.: [ ] /BLDG., [ ] /FLR.; [ ] ACC. DRKF.; [ ] _____PKG.SP.; [ ] _____ VAN PKG.SP., [ ] SPEC. _____