



BZA Case No. 21142

Appellant Advisory Neighborhood Commission 6C

Appeal of Building Permit No.: B2308873

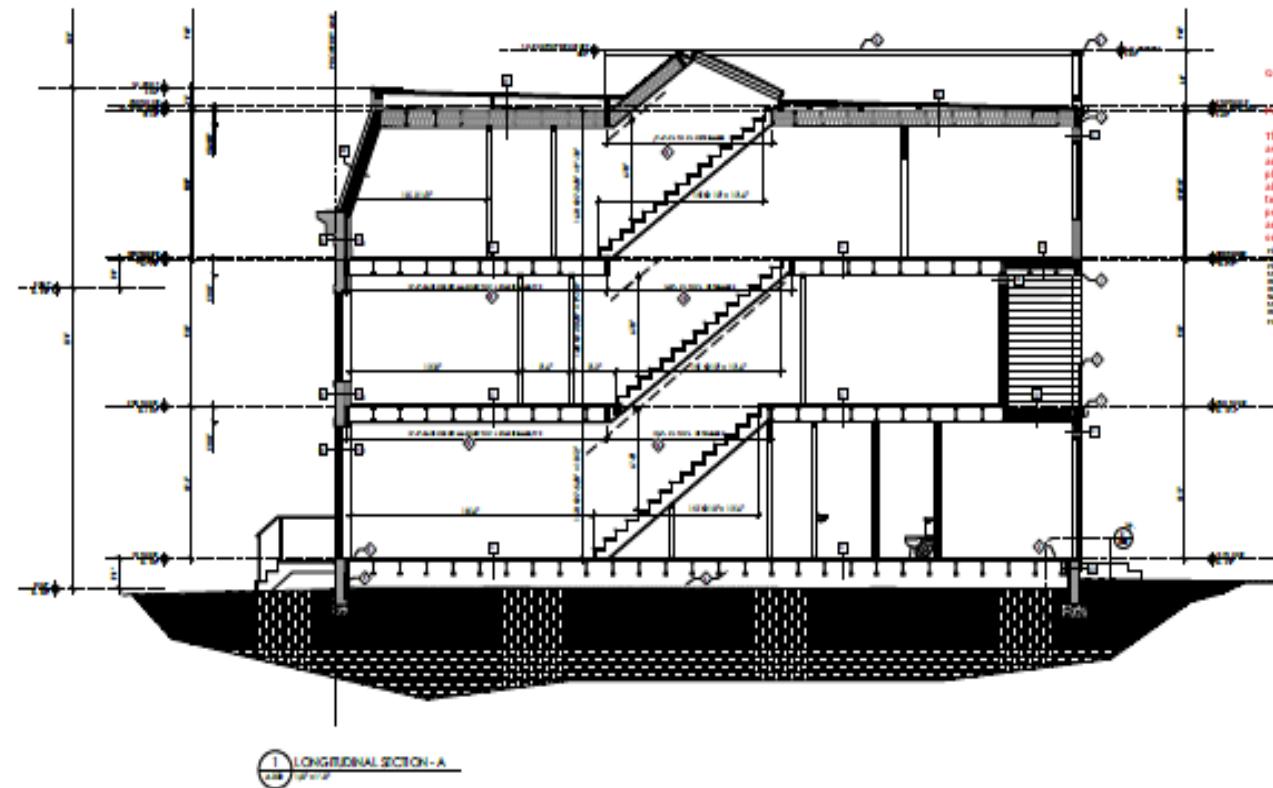
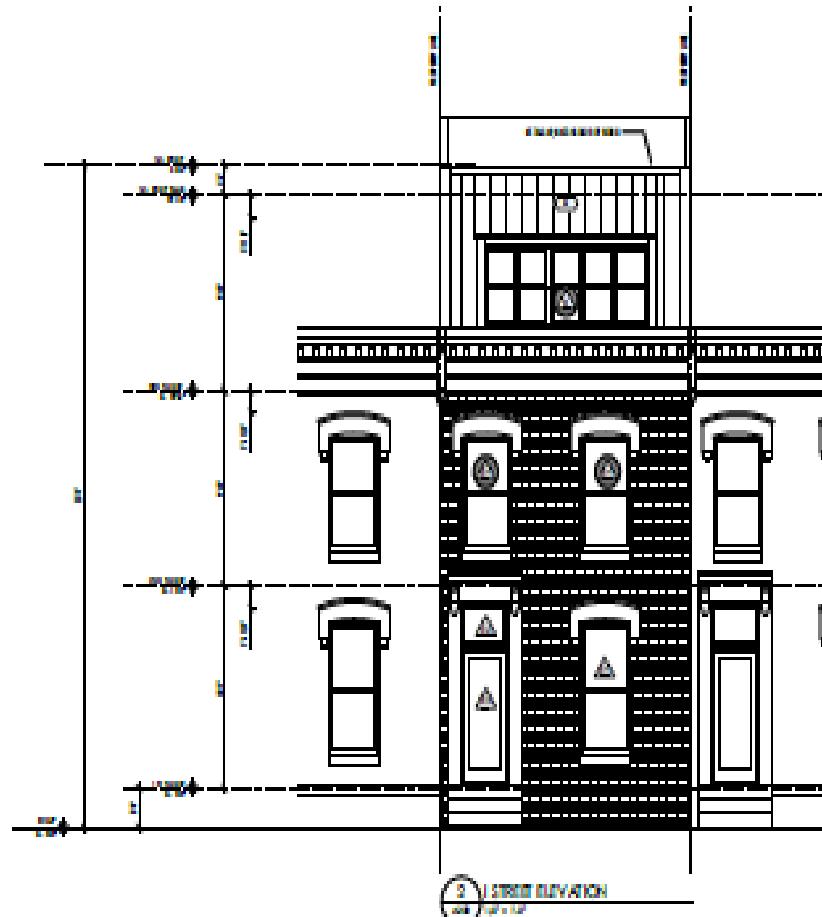
638 I Street NE

Wednesday, November 20, 2024

Regulatory Language 11 DCMR, Subtitle E

204.1 Except for properties subject to review by the Historic Preservation Review Board or their designee, or the U.S. Commission of Fine Arts, a roof top architectural element original to a principal building such as cornices, porch roofs, a turret, tower, or dormers, shall not be removed or significantly altered, including shifting its location, changing its shape, or increasing its height, elevation, or size; provided that...

The plans reviewed by DOB complied with 11E DCMR §204.1



Interpretation ZA-007

ZA-007

Interpretation ZA-007: Roof Top Architectural Element is superseded in part by D.C. Municipal Regulations Title 11, Subtitle E, Section 206.1 and 206.2.*

Applicants should also be aware of the “three foot rule,” that an addition of a floor or penthouse, usually behind the protected architectural rooftop element, must be set back at least three feet from the element in order to help preserve its architectural integrity.

- Three-foot rule **does not** apply to a cornice.

**The reference in the Interpretation should be revised to reflect renumbering to 204.1 and 204.2.*

DOB'S position has been consistent regarding cornices

DOB has never applied ZA Interpretation 7 to cornices.

For example: Matt Legrant May 11, 2021 Email (BZA Case: 20437, Ex. 48)

I agree that the three foot setback, which is my Office's requirement that upper floor additions be setback from certain rooftop architectural elements, does not apply to cornices. You are aware of the 'three foot rule' that my office has administratively required for upper floor additions to be set back from specified protected rooftop architectural elements. However, this rule does not apply to cornices. Other rooftop architectural elements, including turrets, towers, mansard roofs, and dormers are subject to the three foot setback rule to preserve those element's architectural integrity. However, I have not applied this setback rule to cornices since the inception of the regulation, as cornices primarily reside on the building's façade. This is also explained in the [Tutorial Video](#) on DCRA's Website at <https://dcra.dc.gov/node/1466106>. In the video, it denotes the exemption of cornices from the three foot setback rule.

Please let me know if you have any further questions on this matter.

Reasons cornices are excluded from ZA Interpretation

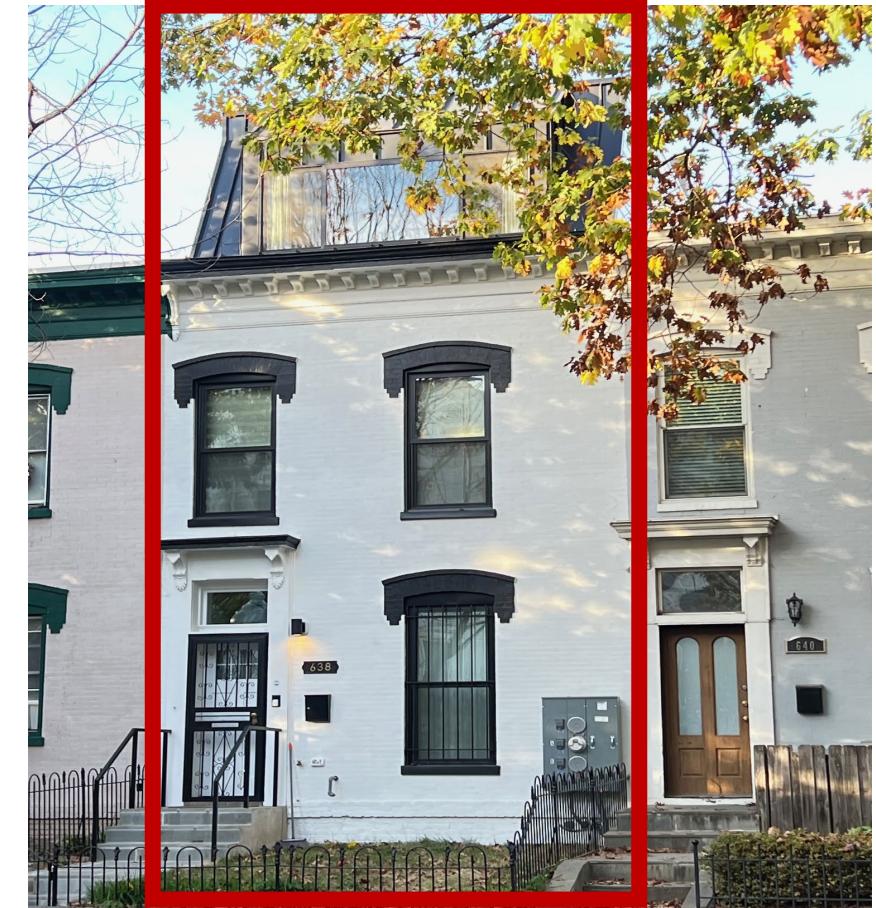
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- A **turret, tower, dormer** and mansard roof have **volume and mass** unlike a cornice, which is typically a decorative piece at the crown of a facade.
- Without **physical separation**, an addition could subsume a turret, tower, dormer or mansard roof, thereby **altering its original architectural shape, design, and appearance**

Before and after images of 638 I St., NE verifying compliance with 11E DCMR § 204.1



Pre-Construction



Post -Construction

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