

CHAPTER 32A ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY

Delete Sections 3202.1 through 3202.4 of the Building Code in their entirety and add new Sections 3202.1 through 3202.13.2.5 to read as follows:

3202.1 Character of encroachments. Encroachments (hereinafter referred to in this Section as "projections") are a privilege. They cannot be claimed as a right, and require a permit issued by the code official. The provisions of Section 3202 establish limitations on the projections that the code official is authorized to grant. The code official is authorized to further restrict or refuse proposed projections if the code official considers such action best for the public interest.

3202.2 Removal of projections. All permits for projections shall be issued with the understanding and agreement by the applicant that any and all such projections shall be promptly removed upon notice by the code official.

3202.3 Projections not requiring individual approval. The following projections shall not require projection approval:

1. Footing projections approved in connection with building permits;
2. Bases, sills, water tables, cornices, belt courses, and roof overhangs conforming with requirements hereafter defined.

3202.4 Modification of projection requirements. The code official is authorized to grant modifications of requirements on projections when the modification is deemed in the general public interest, as defined in Section 3202.4.1 or in case of foregone construction, as set forth in Section 3202.4.2 and following:

3202.4.1 Modifications in the general public interest. Modifications in the general public interest are those requested to embellish the building, provided that:

1. The primary object of the modification is not the occupation of additional public space;
2. The primary object of the modification is not changing of interior arrangements;
3. In the opinion of the code official such modification will not interfere with adjacent buildings; and
4. In the opinion of the code official such modification will not interfere with the general public interest.

3202.4.2 Foregone construction. Foregone construction is deemed to occur when, in conformity with a plan previously approved by the National Capital Planning Commission for improvement of any street or thoroughfare, the owner will permanently forego construction on, or the use of a portion of his or her lot. In such cases, the code

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NON-RELEVANT SECTIONS DELETED

and re-paved at the expense of the owner of abutting property, to comply with the new grade.

3202.9.2.5 Interference with utilities. Construction of vaults shall be subject to the following conditions:

1. Vaults shall be constructed so as not to interfere with sewers, water mains, gas mains, electric or telephone conduits, signal conduits, manholes, lamp posts, trees, or any other public or public utility works or improvements.
2. If construction or alteration of a vault requires the removal or relocation of utilities, and if by agreement a public utility or District utility arranges to alter its facilities, the owner of abutting property shall notify the appropriate company or office concerned as to when a permit has been issued and construction or alteration work is ready to commence.

3202.10 Balconies, windows, towers and structural trim. Balconies, windows, towers and structural trim shall conform to the provisions of Sections 3202.10.1 through 3202.10.9.

3202.10.1 General restrictions. The restrictions of Sections 3202.10.1.1 and 3202.10.1.2 shall apply to projections as specified therein.

3202.10.1.1 Prohibition on alley location. Balconies, bay oriel or show windows, or towers shall not project over alley spaces.

3202.10.1.2 Restrictions based on zoning districts. Bay or oriel windows, or towers projecting over public space shall not be allowed on buildings to be built in C, C-M, or M Districts, as defined in the *Zoning Regulations*. Show windows projecting over public space shall not be allowed on buildings to be built in Residential or SP Districts, as defined in the *Zoning Regulations*. Where such projections are on existing buildings in such districts, and the portion of the building containing those projections is structurally altered, the projections shall be removed. Bay or oriel windows, or towers are permitted on buildings in Residential or SP Districts, including one or more street fronts of such buildings.

3202.10.2 Balconies. Balconies shall comply with the width and projection requirements of Sections 3202.10.2.1 and 3202.10.2.2.

3202.10.2.1 Width. Balconies shall maintain an 8-inch separation from property lines extended. Aggregate balcony width is otherwise unlimited. Where balconies are structurally connected to bay windows, the width of the balconies shall be included in the width of the bay windows and the combined width shall comply with the requirements for bay windows.

3202.10.2.2 Projection. Balcony projection from the building line shall be limited as follows:

- 2.b. On buildings 24 feet (7315 mm) wide a double projection shall be allowed, the total width of both projections not to exceed 13 feet (3962 mm).
- 2.c. The allowable aggregate width of double or multiple projections on buildings exceeding 24 feet (7315 mm) in width at the building line shall be increased 6 inches (152 mm) for each foot (305 mm) of increased building width over 24 feet (7315 mm).
3. The width of bay window projections shall be measured at a distance of one foot from the building line.
4. Bay window projections of buildings on interior lots shall not extend beyond party lines extended.
5. A bay window at the corner of two streets is permitted to be continued around the corner. The portion of such a continued bay window that is located beyond building lines extended shall not be counted in the width of projections on either front.

3202.10.3.2 Height. The height of bay windows is not limited.

3202.10.3.3 Projection. The projection of bay windows shall be limited as follows:

1. Three (3) feet (914 mm) on streets 60 feet (18 288 mm) to 70 feet (21 336 mm) wide.
2. Four (4) feet (1219 mm) on streets more than 70 feet (21 336 mm) wide.

3202.10.3.4 Other restrictions. Stairways shall not be permitted in bay window projections. Doors in bay windows that do not swing beyond the projection shall be permitted.

3202.10.4 Oriel and show windows. Oriel and show windows shall comply with the requirements of Sections 3202.10.4.1 and 3202.10.4.2, respectively.

3202.10.4.1 Oriel windows. Oriel windows shall conform to all the requirements governing bay windows.

3202.10.4.2 Show windows. Show windows shall conform to the width, projection and restrictions requirements of Sections 3202.10.3.1, 3202.10.3.3 and 3202.10.3.4 governing bay windows.

3202.10.5 Towers. Tower projections shall conform to all the requirements governing bay windows.

3202.10.6 Colonnades. Colonnades shall comply with the width, height and projection

1. Three (3) feet (914 mm) on streets more than 60 feet (18 288 mm) and less than 70 feet (21 336 mm) wide.
2. Four (4) feet (1219 mm) on streets 70 feet (21 336 mm) or more in width.

3202.10.3 Bay windows. Bay window projections shall comply with the requirements of Sections 3202.10.3.1 through 3202.10.3.4.

3202.10.3.1 Width. The width of bay windows at each building line shall be limited as follows:

- 1.a. A bay window projection shall not be allowed on buildings less than 16 feet (4877 mm) wide at the building line;
- 1.b. A single projection of 9 feet (2743 mm) in width shall be allowed for all buildings having a width of 16 feet (4877 mm) or more at the building line;
- 1.c. The allowable width of a single projection shall increase 6 inches (152 mm) for every foot (305 mm) of increase in the width of the building between 16 feet (4877 mm) and 24 feet (7315 mm) wide at the building line;
- 1.d. For buildings over 24 feet (7315 mm) in width the allowable width of a single projection shall increase 2 inches (51 mm) for every foot (305 mm) of increase in width of the building over 24 feet (7315 mm).
- 2.a. Multiple projections (two or more separate projections) shall not be allowed on buildings less than 24 feet (7315 mm) wide at the building line;