

**SUPPLEMENTAL REPORT****TO:** District of Columbia Board of Zoning Adjustment**FROM:** Megan Rappolt, Case Manager*JL for* Jennifer Steingasser, Deputy Director Development Review & Historic Preservation**DATE:** May 5, 2016**SUBJECT:** ZC #15-01A, 320 Florida Avenue NE – **OP Supplemental Report****SUPPLEMENTAL ANALYSIS of MINOR MODIFICATION**

At its April 25, 2016 public meeting, the Zoning Commission reviewed a minor modification request for Case 15-01. During its discussions, the Commission raised questions regarding the proposed penthouse modifications. As a result of those questions, the Applicant filed a revised statement and drawings (Exhibits 8, 9A and 9B).

OP has reviewed this submission and has discussed it with the Applicant. The Applicant has made several changes to the plans, which include the removal of the penthouse mezzanine, reduction of the size of the penthouse and removal of the penthouse outdoor terraces that adjoined the mezzanines. OP supports these changes.

The setbacks of the proposed penthouse walls meet the 1:1 setback required by the Zoning Regulations; however the proposed roof top guardrails along the north and east main walls of the building do not meet with current 1:1 setback requirement. While these guardrails may have been originally approved with the PUD on July 15, 2015 without the 1:1 setback, OP has recommended to the applicant that, since the other aspects of the new penthouse regulations are being utilized as part of this modification (most notably the addition of habitable space within the penthouse), the guardrails should also conform to the current regulations by providing the setback as required by the current penthouse regulations (§411.18).

OP continues to support the Applicant's request for residential penthouse uses of unequal heights, which requires relief from §411.9.

Analysis regarding the remainder of modifications included in the Applicant's original submission can be found in OP's original report (Exhibit 6A).

