

*Government of the District of Columbia*  
**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**



**Permit Operations Division**

April 7, 2016

Zoning Commission  
441 4<sup>th</sup> Street, N.W., Suite 210  
Washington, DC 20001

Re: **Z.C. Case No. 15-22 – Building Code Modification Approval**

Dear Members of the Commission:

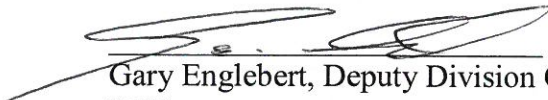
On March 1, 2016, I approved an application submitted by 301 FL Manager, LLC (the “Applicant”) for a modification to Section 3202.7.1.1 of the D.C. Construction Code (Title 12 of the District of Columbia Municipal Regulations (“DCMR”)) for the proposed planned unit development (“PUD”) to be located at 301 Florida Avenue, NE. The modification would allow 4-foot bay window projections to be located on the building’s Florida Avenue façade.

Section 3202.4 of the building code states that the code official is authorized to grant modifications of requirements on projections so long as the code official determines that the modification is deemed in the general public interest, as defined in Section 3202.4.1. I issued the approval upon finding that the proposed projections are in the general public interest and meet the criteria set forth in Section 3202.4.1 of the Construction Code as follows:

1. The primary object of the modification is not the occupation of additional space, but is rather to improve the design of the building along Florida Avenue and to provide additional light and air to the residential units.
2. The primary object of the modification is not to change interior arrangements given that the interior spaces connected to the bay windows are of functional size without the projections.
3. The modification will not interfere with adjacent buildings since the PUD will be the only building on the block and will be set back from the property line at the ground level by three feet.
4. The modification will not interfere with the general public interest.

Based on the foregoing reasons, I approved the projections pursuant to Section 3202.4.

Respectfully,



Gary Englebert, Deputy Division Chief,  
POD

1100 4<sup>th</sup> Street, SW Washington, DC 20024  
Phone: (202) 442-8959 Fax: (202) 442-4863

**ZONING COMMISSION**  
District of Columbia  
CASE NO.15-22  
EXHIBIT NO.40E