

February 14, 2018

Samantha Mazo

Direct Phone 202-747-0768
Direct Fax 202-683-9390
smazo@cozen.com

Frederick L. Hill, Chairperson
Board of Zoning Adjustment
441 4th Street, NW, Suite 200S
Washington, DC 20010

RE: BZA #19659: Sheridan-Kalorama Neighborhood Council (“SKNC”)’s response to the February 7, 2018 submission of the Federation of State Medical Boards Inc.

Chairperson Hill and Honorable Members of the Board:

On behalf of a party in opposition, Sheridan-Kalorama Neighborhood Council (“SKNC”), please find this response to the FSMB Inc.’s February 7, 2018 filing (the “February 7 Submission”).

1. GFA Analysis/ Floor Area Differences: 2118 Leroy Place (the “Building”) is less than 10,000 s.f. in Gross Floor Area

Attached here at Tab “A”, is a detailed GFA Analysis prepared by SKNC’s architectural expert, Guillermo Rueda¹ based on the documents in the record.²

This expert analysis documents that *at most* the gross floor area of the Building is **9,002 s.f.** This is approximately 10% less than the 10,000 s.f. required to satisfy Subtitle U § 203.1(n)(2) (referenced herein as the “10,000 S.F. Requirement”).

The 10,000 S.F. Requirement is not met, and area variance relief is required. FSMB Inc. has not satisfied the area variance standards. Further, the Office of Planning should consider updating its report, which is conditioned on the satisfaction of the 10,000 S.F. Requirement.

¹ A copy of Mr. Rueda’s resume was included in SKNC’s pre-hearing statement in the record at BZA Exhibit No. 105A (Tab M)

² FSMB Inc.’s counsel did not allow Mr. Rueda to conduct a site visit. See BZA Exhibit No. 141D. SKNC finds this troublesome because FSMB Inc.’s counsel wrote that he decided to withdraw the original request for area variance relief only after he “*inspected the Building’s interior and rear of the Property*” and made “*discoveries*” about the first floor and grade change. See first page of the FSMB Inc. February 7 Submission. At the very least, SKNC’s expert should have been able to conduct a similar review of the Building’s interior. Further, SKNC is aware of pending Zoning Text Amendment (ZTA 17-18) that references proposed changes to Subtitle B of the Zoning Regulations. While that ZTA’s Zoning Commission hearing is scheduled for February 22, 2018, it is unknown, what, if any, of the pending ZTA will be adopted by the Zoning Commission or when such adoption will take place. Accordingly, satisfaction of the 10,000 S.F. Requirement is to be analyzed pursuant to the text of Subtitle B currently in effect.

2. Employee Expansion Not Supported and Will Adversely Affect the Neighboring Uses

The employee position descriptions at BZA Exhibit No. 138B, do not explain why those employees need to be located in FSMB Inc.'s Washington office. Indeed, despite FSMB Inc.'s counsel's assertions that the new positions relate to "programming with federal partners such as the DEA and Department of Health and Human Services", neither those agencies, nor any federal agencies are referenced in the position descriptions. Instead, the majority of the responsibilities relate to the administration of continuing medical examinations.³

Next, there is no evidence in the record to support FSMB Inc.'s baseless claims that 20 (or 15 or 8 for that matter) employees⁴ "will not tend to adversely affect the use of the neighboring properties."⁵ The evidence in the record regarding adverse effects was provided by representatives of SKNC, the Sheridan-Kalorama Historical Association and residents. That testimony explains in detail how FSMB Inc.'s proposed office would adversely affect the use of the neighboring properties.

3. Rear Garage will Not be Sufficient to Accommodate FSMB Inc.'s Loading Needs

OP recommends that if approved, "loading will be restricted to the alley"; and its recommendations are conditioned on "the Applicant provid[ing] to the record information regarding expected deliveries and visitors to the site." *See BZA Exhibit No. 110*. Accordingly, any approval of this application should be conditioned on FSMB Inc. providing a sufficient loading area from the alley and the requested loading information. FSMB Inc. has so far failed to satisfy those conditions.

FSMB Inc. states that loading for the office would take place in the "residential-type garage" behind the Building. *See BZA Exhibit No. 138*. However, the record reflects that the Building's existing garage would not satisfy the loading facilities requirements established in Subtitle C § 905.1 for the purpose of "ensuring that loading facilities are adequately sized and capable of performing their intended functions." Specifically, Subtitle C § 905.2 requires that even the smallest "service" loading space needs to have a minimum 30-foot depth and a minimum vertical clearance of 14 feet. Also, loading spaces are to be "accompanied" by a 100 s.f. loading platform that is at least eight-feet wide with a minimum vertical clearance of 10 feet. *See Subtitle C § 905.4*.

Contrary to these requirements, the Building's garage is only 23-feet in depth with a vertical clearance of 10 feet. Plainly, the "residential-type garage" does not satisfy the loading

³ The record shows that administration of these examinations accounted for more than 98% of FSMB Inc.'s \$42,000,000+ revenue in 2015.

⁴ Whether the employees are "temporary" or "full time" does not have any effect on the level of adverse impact caused by the employee. Indeed, rotating employees – either from Texas or interns – would have the same level of impact, potentially more as they would likely not be as familiar with any potential conditions on the use.

⁵ Even the OP report includes conditions that Anne Fothergill testified were proposed to address the anticipated adverse effect on the neighboring uses. *See BZA Exhibit No. 110*. Also, the DDOT report was premised on FSMB Inc.'s original proposal of eight employees. *See BZA Exhibit No. 92*.

space requirements, and the garage should not constitute the office's loading area. Also, functionally, it would be unrealistic for the garage to be used for loading because it appears to be a full level below the offices.

Next, FSMB Inc. asserts that it does not anticipate "any material loading" function after the renovation and move in is complete. This is unrealistic. As detailed in the record, offices – especially those located in residential neighborhoods – with up to 20 employees and the level of events FSMB Inc. requests will require loading space for deliveries. Further, FSMB Inc.'s statement does not satisfy OP's requirement that FSMB Inc. "provide to the record information regarding expected deliveries." Simply saying that the office use will have no deliveries is not reasonable and should not be accepted by this Board.

Finally, as discussed extensively, the alley is narrow – only 15 feet in width – is bordered on both sides by residential garages and can only be accessed after negotiating a narrow turn at the top of the alley. Requiring deliveries in the alley, coupled with FSMB Inc.'s stated intent to have loading occur in the substandard loading area, will create substantial conflicts in the alley. Such conflicts will tend to adversely affect the neighbors' use of their own garages.

4. All FSMB Inc. Employees, Guests, Vendors and Visitors Should be Prohibited from Smoking within the Residential Neighborhood.

As expressed during the hearing, smoking on or near the Property is a large concern to the Property's immediately adjacent neighbors. While SKNC appreciates that FSMB Inc. has certain restrictions, SKNC does not believe those limitations will sufficiently protect the neighborhood or limit the adverse effect of smoking on or near the Building.

Accordingly, while its strongly-held opinion is that no conditions are sufficient, SKNC would require that no smoking be allowed anywhere but along Connecticut Avenue, where the uses are more commercial in nature. Further, it would require FSMB Inc. to post notices on the front and rear of the Building prohibiting smoking by FSMB Inc.'s employees, guests, vendors and visitors.

5. Articles of Incorporation Support Finding that FSMB Inc. does not satisfy the Zoning Regulation's definition of "Nonprofit Organization."

The extensive evidence in the record supports a finding that the FSMB Inc. is not a "nonprofit organization" as that term is defined in the Zoning Regulations. This evidence is including, but not limited to, pages from FSMB Inc.'s website and a copy of the 2015 990 filing detailing FSMB Inc.'s extensive lobbying and medical examination administration. *See BZA Exhibit No. 105A (Tab E) and (Tab F)*

Further, the only expert testimony in the record explained that FSMB Inc. does not satisfy the Zoning Regulation's definition because it operates for the benefits of its members as a business league. This conclusion was based on a review of the Articles of Incorporation. Further, this conclusion is supported by the description of FSMB Inc.'s "objects and purposes" in the Articles of Incorporation:

- “To keep itself and its members informed...” (Art III, Sec A)
- “To develop and improve the quality of licensing examinations given to members of the medical profession” (Art III Sec. C)
- “To obtain and disseminate information regarding proposed legislation and administrative actions affecting the healing arts and licensure” (Art III Sec D).

Plainly, FSMB Inc. is not operated “exclusively for religious, charitable, literary, scientific, community or educational purposes” in conformance with the District’s definition. Rather, it is an organization that operates for the purpose of promoting its members’ – the State Medical Boards – interests.

6. OP’s Recommended “5-Year Condition” is supported by this Board’s decision in the Halcyon House case

OP has recommended that any approval of FSMB Inc.’s office use be limited to a period of five years. Such recommendation was made after fully reviewing the adverse effects of FSMB Inc.’s proposed office on the neighboring property uses and determining that a time limitation was necessary.

During the hearing, FSMB Inc.’s counsel tried to argue that this condition was not appropriate because based on his review, the Board had “only” applied a similar, temporal condition in the “Tudor Place” case. By way of reminding the Board that it had applied a temporal condition in at least one other case, SKNC’s counsel referenced a 5-year condition placed on the nonprofit use for the Halcyon House in BZA Case No. 18604.

In the February 7 Submission, FSMB Inc. attempts to downplay the Board’s adoption of the 5-year condition in BZA Case No. 18604 due to the Halcyon House’s anticipated number of events and because that property is located “in an area which is every bit as residential as LeRoy Place [typo in original].” These efforts fail.⁶

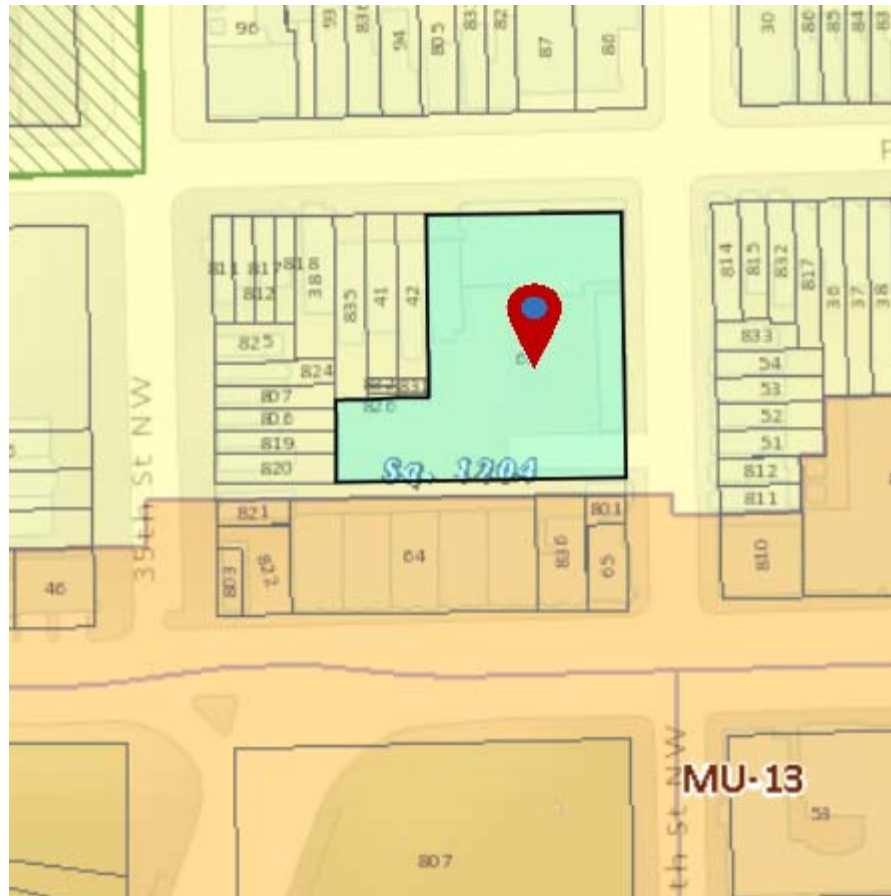
As to the number of events, while it appears that Halcyon House did propose more events than FSMB Inc. claims it will host, importantly, the Board significantly limited Halcyon House’s nonprofit office uses by adopting the following conditions:

- “The Property shall be used only for a 501(c)(3) nonprofit organization focused on the fields of fine arts, cultural understanding, global resilience (including the fields of science, technology, business, innovation and emergency response), and medical or pharmaceutical research.”
- “A maximum of twelve (12) nonprofit employees may work on-site.”

⁶ Further, unlike the subject case, the ANC supported the Halcyon House application and there were no parties in opposition to that case.

The conditions placed on Halcyon House’s office operations document the Board’s efforts to address the adverse impacts a nonprofit office would have on the surrounding neighboring uses.

Further, FSMB Inc. is incorrect when it states that Halcyon House – at 3400/3410 Prospect Street NW – is located in an “area which is every bit as residential as LeRoy Place.” As shown on the snip of the Zoning Map below, Halcyon House *backs up* to an intensely commercial strip of M Street that is zoned MU-13. Also, Georgetown University is just at the western edge of the square.



Halcyon House is clearly **not** in an area that “is every bit as residential as LeRoy Place.” Rather, it directly abuts a heavily trafficked and commercial zone along M Street at the entrance to the Key Bridge.

As discussed at length and as recognized by OP, the office use proposed by FSMB Inc. will adversely affect the use of neighboring properties. Accordingly, as in Halcyon House, any approval of FSMB Inc.’s use should, at most, only be approved for a period of five years. This condition would allow the Board an opportunity to address the community issues and concerns that are expected to arise due to FSMB Inc.’s operation in the neighborhood.

7. Expected Level of Visitors/ Meeting Schedule

SKNC finds the Visitor/Meeting schedule information provided at BZA Exhibit Nos. 138 and 138E to be both incomplete and irrelevant. It is incomplete because the “Expected Level of Visitors” was based only on the “meetings over the past three months for which the DC conference room was reserved and used for guests.” By only identifying those guests who used the conference room, FSMB Inc. excludes any guests who came directly to meet with Staff in their personal offices. Also, the narrow scope does not identify meetings held off site that FSMB Inc. intends to host at 2118 Leroy Place. Further, FSMB Inc. identifies the meeting schedule as a “representative sample of the in-person meetings held” by FSMB Inc. Consequently, the list at BZA Exhibit No. 138E is not intended to list all of the meetings FSMB Inc. wants to conduct at the Property.

Moreover, these lists are irrelevant. It is well documented that FSMB Inc. views its current office space as too small for its needs. FSMB Inc. purchased the Property at \$650,000 over the asking price for the purpose of having conference room space for these meetings and other unspecified events. Accordingly, whether or not certain meetings occurred does not provide evidence of what will happen at 2118 Leroy Place in the future.

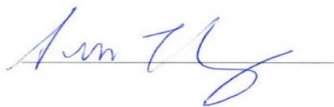
8. Conclusion

FSMB Inc. has not satisfied its burden of proof to support the request for relief. For those reasons, as well as those expressed in the lengthy record, the Board should deny Application No. 19659.

We thank you for your attention to this matter and look forward to providing a closing argument on February 21.

Sincerely,

Cozen O’Connor

A handwritten signature in blue ink, appearing to read 'Samantha Mazo', written over a horizontal line.

By: Samantha Mazo

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of February, 2018, a copy of the foregoing was served, via electronic mail, on the following:

District of Columbia Office of Planning
c/o Anne Fothergill, Development Review Specialist
1100 4th Street SW, Suite E650
Washington, DC 20024
anne.fothergill@dc.gov

District Department of Transportation
c/o Anna Chamberlin
55 M Street SE, Ste. 400
Washington, DC 20003
Anna.chamberlin@dc.gov

Advisory Neighborhood Commission 2D
c/o David Bender, Chairperson
2126 Connecticut Avenue NW, Apt. 34
Washington, DC 20008
2D01@anc.dc.gov

Advisory Neighborhood Commission 2D
c/o Ellen Goldstein, SMD Commissioner
2129 Florida Avenue NW, Apt. 501
Washington, DC 20008
2D02@anc.dc.gov

Sheridan-Kalorama Historical Association
c/o Kindy French
2401 Tracey Place, NW
Washington, DC 20008
kindyf@verizon.net

Martin Sullivan
Sullivan & Barros
1990 M Street NW
Washington DC 20036
msullivan@sullivanbarros.com



Samantha Mazo

TAB A

Guillermo Rueda, AIA

202.213.2825 g.rueda.aia@gmail.com 2912 18th Street, NW Washington, DC 20009

To: Sheridan Kalorama Neighborhood Council

Date: February 12, 2018

Subject: **GFA ANALYSIS AND REPORT**
BZA CASE #19659
2118 LEROY PLACE, NW
Lot 49 Square 2531

SUMMARY

After a careful review of the various submissions from the Applicant regarding the gross floor area of the proposed headquarters of the FSMB, I have concluded that in my expert opinion, **the building at 2118 Leroy Place does not meet the requirement in the Zoning Regulations that it must be "in excess" of 10,000 sf.** The following summary of findings represents my best efforts to understand the assertions made by FSMB's architect, Wingate Hughes, regarding the *Gross Floor Area (GFA)*¹ calculations for the property at 2118 Leroy Place, NW.

Documentation Relied Upon: My conclusions primarily refer to Wingate Hughes' "Exhibit A," which is in the record at BZA Exhibit No. 138A and includes: a two-page summary letter (dated 1/30/2018); a plan, "DC _Grade Exhibit.dwg" (dated 12/28/2017) representing the grade plane interpretation with associated area values; and a topographic survey (dated 12/28/2017) drawn by CAS Engineering-DC, LLC. This survey does not include any dimensional information for building elements, which would be typical for this type of survey. The only plan dimensional information included is for the property boundaries.

Missing Documentation: The above referenced January 30, 2018 letter indicates a "Feasibility Study" prepared by Wingate Hughes to determine the gross floor area within the building. That study was not attached or included in the letter and has not been filed in the record. Also missing from the FSMB exhibit received on 2/7/18 (BZA Exhibit No. 138A) is a building section that was previously submitted in BZA Exhibit No. 135. I reviewed that section and observed that it had many obvious errors and further confirmed how the applicant's grade plane analysis deviates from the procedure described in Zoning Title 11 DCMR 2016 regulations, as currently adopted.

Focus of Analysis: My analysis focuses on 1) information provided in the topographic survey (BZA Exhibit No. 138A); 2) review of the exhibits and photographs in the record; and 3) a site visit to the public space and other nearby properties (not owned by FSMB) to understand the context of the building and its relation to the site. (Our counsel's request for access to the Property was denied by FSMB). Using software that allows me to calibrate PDFs and understand dimensional and area information that was missing from the documents, but was necessary to do these calculations. I was able to review the survey with reasonable precision by inputting the known site boundaries

and cross referencing the total area analyzed with the total area (3,258.2 sf) of the survey-identified building footprint, which is attested by Wingate Hughes as the "Basement Level" in Exhibit A.

Conclusion: As a result of this analysis, the final conclusion is that the *Gross Floor Area* of the building fails to meet condition (2) of Subtitle U § 203.1(n) because it is less than ten thousand sf (10,000 sq. ft.).

PROBLEMS AND IRREGULARITIES

1. Building plans and area calculations conflict with Topographic Survey information. There are various errors that need to be properly taken into account to evaluate the GFA:

- a. The CAS-DC survey identifies three different levels (LL, LL2, and G) below the *ground floor*²; the Applicant's plans represent them as essentially one *basement*³ level. Only levels LL and LL2 could be considered as the same level (with 6" of difference).
- b. The garage is separate and only accessed from outside the residence, two stories (>16') below the *ground floor*. Both definitions of *cellar*⁴ and Subtitle U § 203.1(n) would exclude this area from GFA.
- b. **SKNC Exhibit "AA"** further highlights the 298 sf (red) area "D" that does not extend to LL2 or LL. Therefore, adding the values from A, B, and C yield a total LL, LL2 footprint of 2,549 sf (not 3,258 sf).
- c. **SKNC Exhibit "BB"** shows that the 'flattened' lower level building plan as drawn is not only incorrect for area measured and levels, but also differs in overall length from that of the CAS-DC survey, and extends about 8' beyond the as-built condition (into the alley).
- d. It was further determined that the applicant's Exhibit "A" calculates GFA to the inside face of the exterior wall, contrary to the definition of GFA in Subtitle B-100.2, incorrectly excluding the thickness of the wall. The required additional wall area of the upper floors is, therefore, included in the final GFA calculation below.
- e. The CAS-DC survey provides an accurate measure of the building footprint, but the upper-level plans could not be evaluated for accuracy. GFA shown in **SKNC Exhibits "CC-EE"** for levels 1,2, and 3 was based on the submitted plans with the caveat described above in (d).

2. Grade Plane information and interpretation as presented in Applicant's "Exhibit A" do not conform with the procedures prescribed per 2016 Title 11 Subtitle B-100.2 and B-304.5.

- a. The building section showing the grade plane (dated 11/27/17) (BZA Exhibit No. 135) was excluded from the 2/7/18 submission. That building section contained many errors with the position of floor levels, grade, and other building elements.

- b. Applicant's Exhibit "A" plan titled "DC_Grade Exhibit.dwg" (dated 12/28/2017) represents the grade plane from the midpoint of the Leroy Place building façade to a point that stretches diagonally across the site and down to the middle of the garage face at the alley 2 stories below, thus incorrectly skewing the exposure of the lower level to increase the building's overall GFA.
- c. SKNC Exhibit "AA" documents the correct method for interpreting grade for attached buildings.
 - i. The *finished grade*⁵ at the midpoint of the building facade nearest to Leroy Place is 4' 8" below the *ground floor* (1st floor).
 - ii. A line from the Leroy Place grade point connects to the midpoint at the opposite building facade where the ground abuts the building (*finished grade*) and emerges 6' below the *ground floor*, the exact datum that defines area that contributes to GFA in accordance with Subtitle B-304.5 (d).
 - iii. The grade plane line that connects the two facades would therefore indicate that portion of the lower level is less than 6' from the ground floor and the area shown in blue (1,954 sf) should not be counted towards gross floor area.
 - iv. As the rear yard grade continues level from where it emerges at the opposite facade, the remaining (595 sf) floor area on this level should be considered *basement* area counted towards the GFA.

3. The corrected GFA that includes the exterior walls and properly assigns area to cellar and basement is as follows:

Cellar Area (not cargable to GFA)	1,954 sf
Basement Area*	595 sf
Ground Floor (1st)	3,140 sf
Second Floor	2,766 sf
Third Floor	2,501 sf
Total GFA*	9,002 sf

The Applicant's grade plane analysis deviates from required Title 11 procedures and the subject building measures approximately 10%-15%* less than the required 10,000 sf of gross floor area even after adding back the exterior wall area missing in the applicant's Exhibit.

It should further be noted that testimony presented at BZA by Mr. Sullivan and FSMB's Mr. Fish asserted that any area calculations submitted for review are verified before approval by DCRA. From my extensive experience with permit applications reviewed by DCRA, I can say that this is not accurate. Office of Zoning staff does not typically verify area calculations; when issuing comments to applicants, these are typically limited to challenging which portions of a building count towards GFA. Unless there is a specific reason to suspect the calculations are not in order,

a direct challenge from an adjacent neighbor or BZA appeal, DCRA would always be in the position of accepting the information as attested by the submitting professional.⁷

* For purposes of comparison to the Applicant's revised submission, this analysis relied on the correct application of the *grade plane*, which is specifically cited for buildings that are restricted by the *Floor Area Ratio* (FAR). It is my opinion that because the building is in an R-3 zone, which limits development to three stories assessed in their relation to the *Building Height Measuring Point* (BHMP), GFA must likewise be counted. Because the ceiling of the level below the *ground floor* is less than the defined 4' limit, that level is considered a *cellar* and discounted in its entirety from GFA. This scenario leaves a GFA total of 8,407 sf (the applicant's original cited number plus the missing area of exterior walls).

Respectfully submitted,



Guillermo Rueda, AIA
Cc: Samantha Mazo, Cozen O'Connor

Addendum Info:

Zoning Title 11 DCMR 2016 Regulation Excerpts:
Subtitle B-100 Definitions

1. Gross Floor Area (GFA): The sum of the gross horizontal areas of the several floors of all buildings on a lot, measured from the exterior faces of exterior walls and from the center line of walls separating (2) buildings.

GFA shall include basements, elevator shafts, and stairwells at each story; floor space used for mechanical equipment (with structural headroom of (6 ft., 6 in.), or more); penthouses; attic space (whether or not a floor has actually been laid, providing structural headroom of (6 ft., 6 in.), or more); interior balconies; and mezzanines.

GFA shall not include cellars, exterior balconies that do not exceed a projection of (6 ft.) beyond the exterior walls of the building, all projections beyond the lot line that may be allowed by other Municipal codes, vent shafts, and pipe chase shafts above the ground floor, atriums above the ground floor, ramps on the ground floor leading down to areas of parking on a lower level; and in residential zones, the first floor or basement area designed and used for parking or recreation spaces provided that not more than (50%) of the perimeter of that space may be comprised of columns, piers, walls, or windows, or similarly enclosed.

2. Floor, Ground: The floor level nearest to and above the adjacent finished grade.

3. Cellar: That portion of a story, the ceiling of which is less than (4 ft.) above the adjacent finished grade.

4. Basement: That portion of a story partly below grade, the ceiling of which is (4 ft.) or more above the adjacent finished grade.

5. Grade, Finished: The elevation of the ground directly abutting the perimeter of a building or structure.

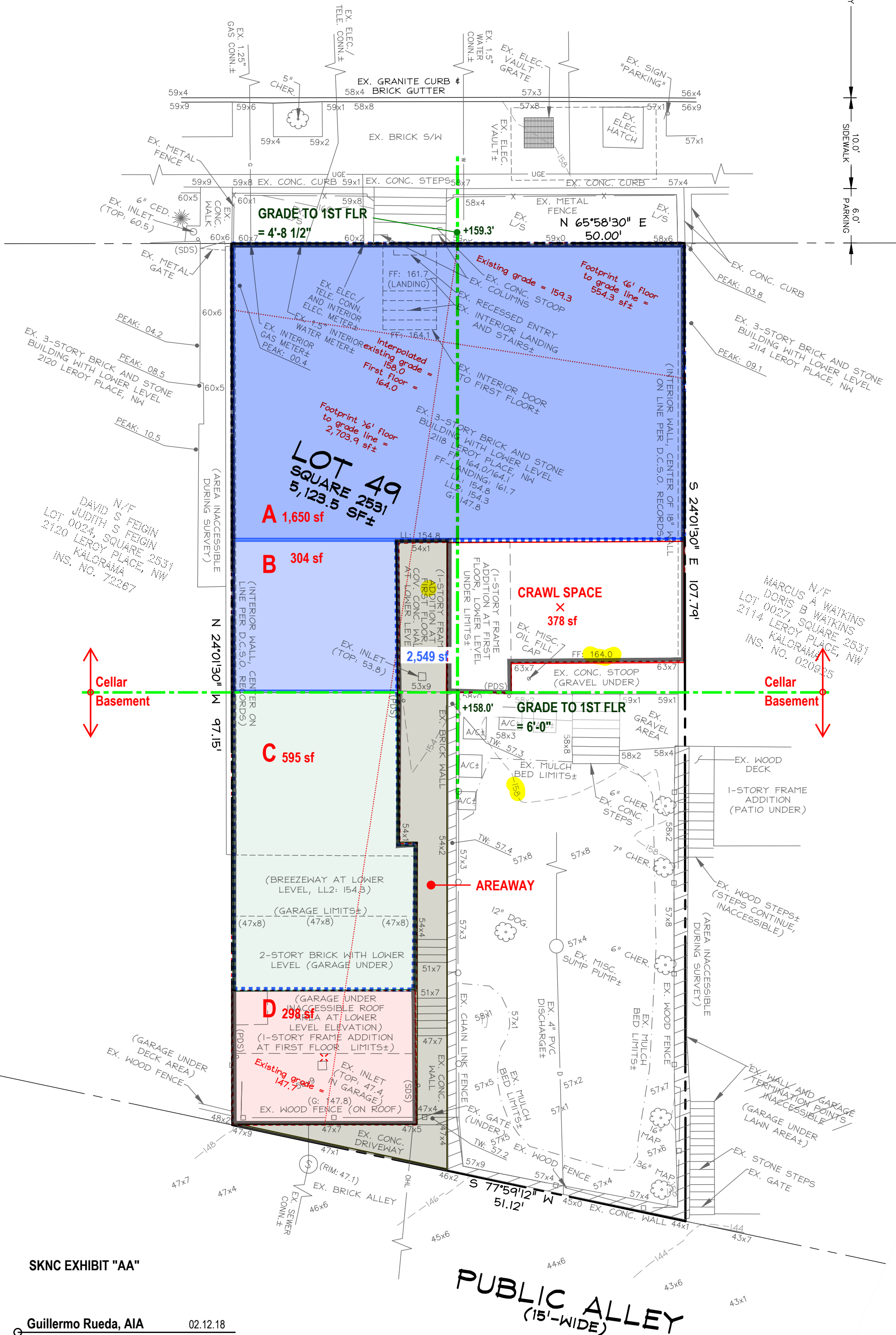
6. Subtitle B-304.5: For a building attached at any point to a neighboring building, GFA of the portion of a story located partially below finished grade shall be calculated as follows:

- (a) Establish a line between the midpoint of a building façade facing the nearest street at finished grade and the midpoint of the opposite building façade at finished grade;
- (b) Determine the portion of this line where the distance between it, and the ground floor of the story directly above, is greater than or equal to (6) feet;
- (c) Project a perpendicular line from the point along the line described in paragraph (b) to the exterior walls of the building; and
- (d) Measure the floor area that is between the projected perpendicular line and the other portions of the story with a height greater than or equal to (6) feet, when measured from the perpendicular

7. Online Construction Permit Intake (OCPI) language that forms parts of the application process, in tandem with professional requirements for the professional of record affirms that information in the application and drawings are correct:

I hereby certify that the name provided in this application has the authority as owner of the property, or as an agent for the owner, to submit this application. I certify that the information provided is complete and correct to the best of my knowledge. . . . False statements may be subject to fines and prosecution as applicable by statute.

LEROY PLACE, NW



SKNC EXHIBIT "AA"

PUBLIC ALLEY
 (15'-WIDE)

	Exhibit A	"A" Revised	ACTUAL
CELLAR	554 SF	1,954 SF	2,549 SF
BASEMENT	2,704 SF	595 SF	0 SF
FIRST	3,043 SF	3,140 SF	3,140 SF
SECOND	2,664 SF	2,766 SF	2,766 SF
THIRD	2,415 SF	2,501 SF	2,501 SF
TOTAL GFA*	10,826 SF	9,002 SF	8,407 SF

*Gross Floor Area (GFA): The sum of the gross horizontal areas of the several floors of all buildings on a lot, measured from the exterior faces of exterior walls and from the center line of walls separating two (2) buildings.

GFA shall not include cellars, exterior balconies that do not exceed a projection of six feet (6 ft.) beyond the exterior walls of the building, all projections beyond the lot line that may be allowed by other Municipal codes, vent shafts, and pipe chase shafts above the ground floor, atriums above the ground floor, ramps on the ground floor leading down to areas of parking on a lower level;

310.1 The number of stories shall be counted at the point from which the height of the building is measured.

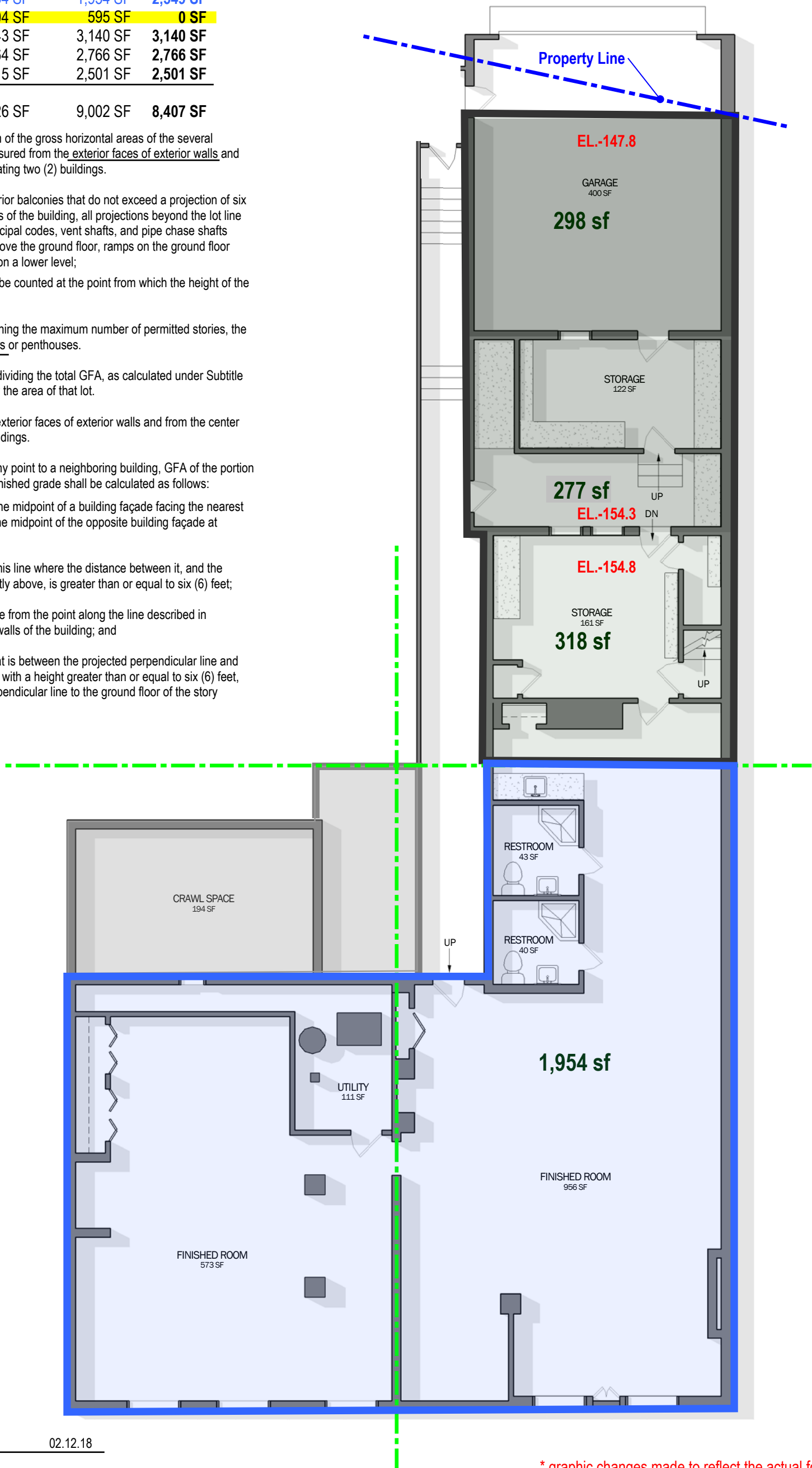
310.2 For the purposes of determining the maximum number of permitted stories, the term "story" shall not include cellars or penthouses.

303.1 FAR shall be calculated by dividing the total GFA, as calculated under Subtitle B § 304, of all buildings on a lot by the area of that lot.

304.1 GFA is measured from the exterior faces of exterior walls and from the center line of walls separating two (2) buildings.

304.5 For a building attached at any point to a neighboring building, GFA of the portion of a story located partially below finished grade shall be calculated as follows:

- (a) Establish a line between the midpoint of a building façade facing the nearest street at finished grade and the midpoint of the opposite building façade at finished grade;
- (b) Determine the portion of this line where the distance between it, and the ground floor of the story directly above, is greater than or equal to six (6) feet;
- (c) Project a perpendicular line from the point along the line described in paragraph (b) to the exterior walls of the building; and
- (d) Measure the floor area that is between the projected perpendicular line and the other portions of the story with a height greater than or equal to six (6) feet, when measured from the perpendicular line to the ground floor of the story above.



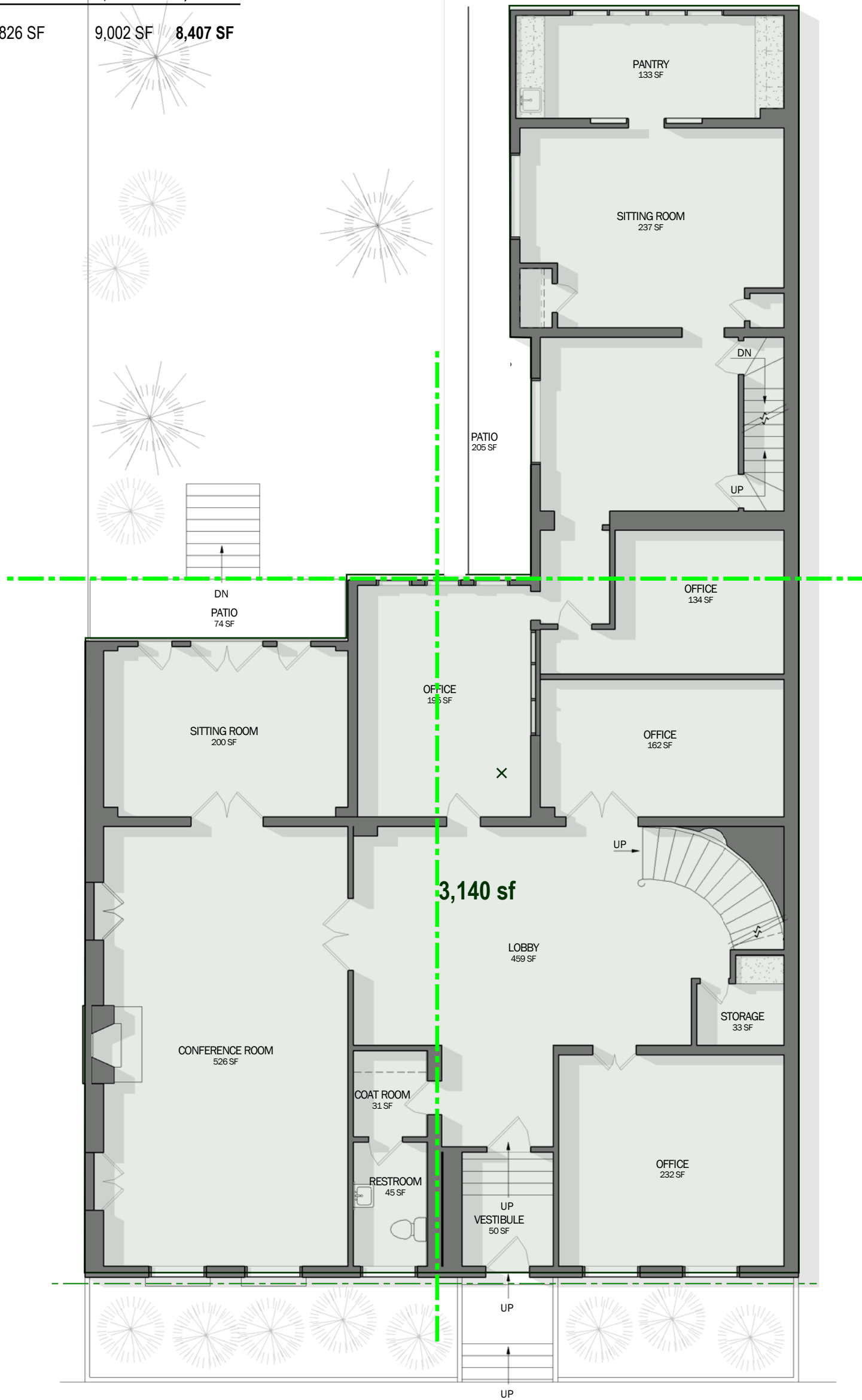
* graphic changes made to reflect the actual footprint as shown in the CAS ENGINEERING-DC, LLC survey.

SKNC EXHIBIT "BB"

Guillermo Rueda, AIA 02.12.18
g.rueda.aia@gmail.com

BASEMENT (3,131.91 SF)
Board of Zoning Adjustment
District of Columbia
CASE NO. 19659
EXHIBIT NO. 3
10/10/17

	EXHIBIT A	"A" Revised	ACTUAL
CELLAR	554 SF	1,954 SF	2,549 SF
BASEMENT	2,704 SF	595 SF	0 SF
FIRST	3,043 SF	3,140 SF	3,140 SF
SECOND	2,664 SF	2,766 SF	2,766 SF
THIRD	2,415 SF	2,501 SF	2,501 SF
TOTAL GFA*	10,826 SF	9,002 SF	8,407 SF



SKNC EXHIBIT "CC"

Guillermo Rueda, AIA
g.rueda.aia@gmail.com

02.12.18

FSMB

2118 LEROY PLACE NW,
WASHINGTON, D.C. 20008

FIRST FLOOR (3,042.56 SF)

10/10/17

	Exhibit A	"A" Revised	ACTUAL
CELLAR	554 SF	1,954 SF	2,549 SF
BASEMENT	2,704 SF	595 SF	0 SF
FIRST	3,043 SF	3,140 SF	3,140 SF
SECOND	2,664 SF	2,766 SF	2,766 SF
THIRD	2,415 SF	2,501 SF	2,501 SF
TOTAL GFA	10,826 SF	9,002 SF	8,407 SF



SKNC EXHIBIT "DD"

Guillermo Rueda, AIA
g.rueda.aia@gmail.com

02.12.18

FSMB

2118 LEROY PLACE NW,
WASHINGTON, D.C. 20008

SECOND FLOOR (2,663.54 SF)

10/10/17

