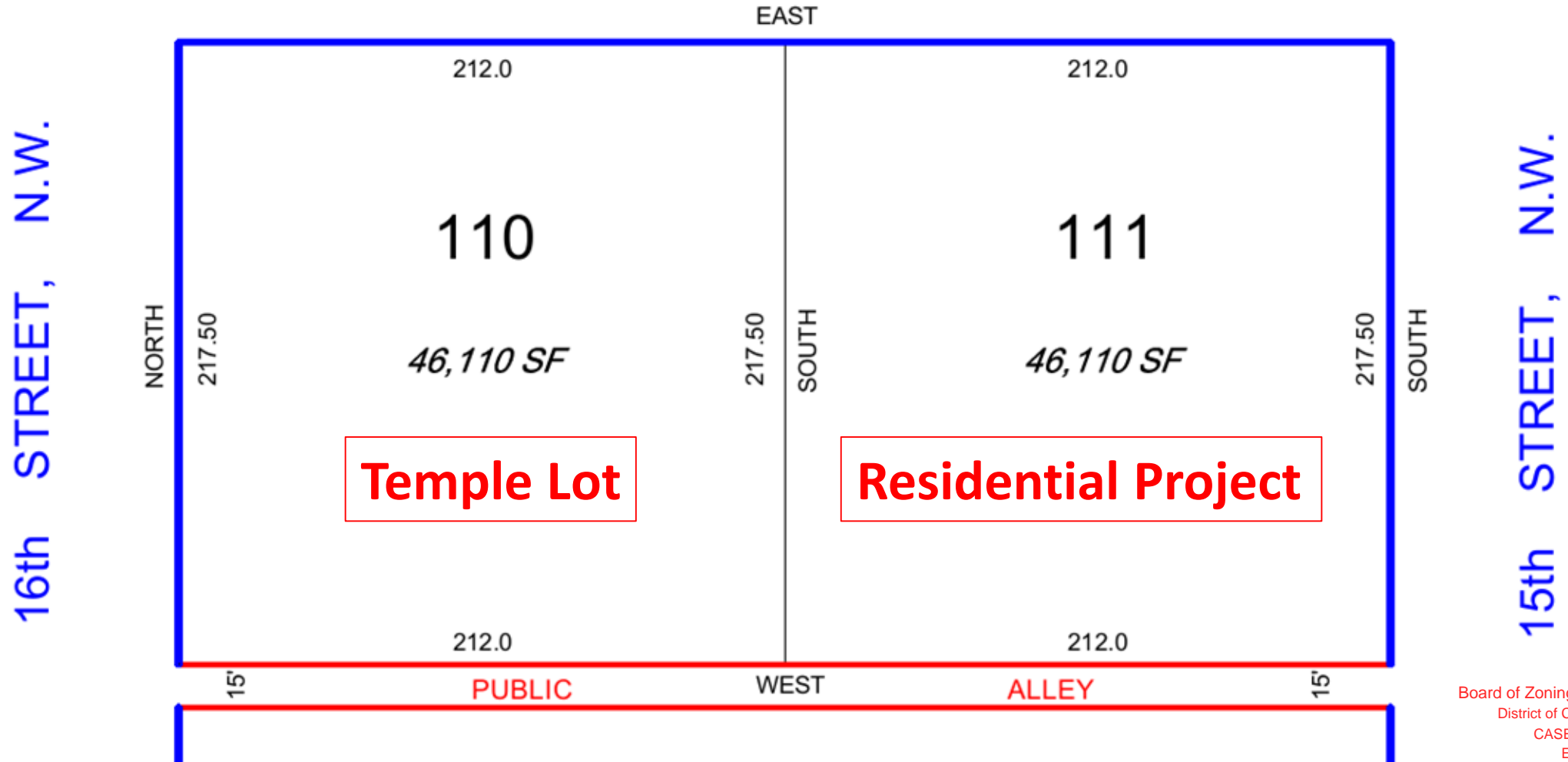
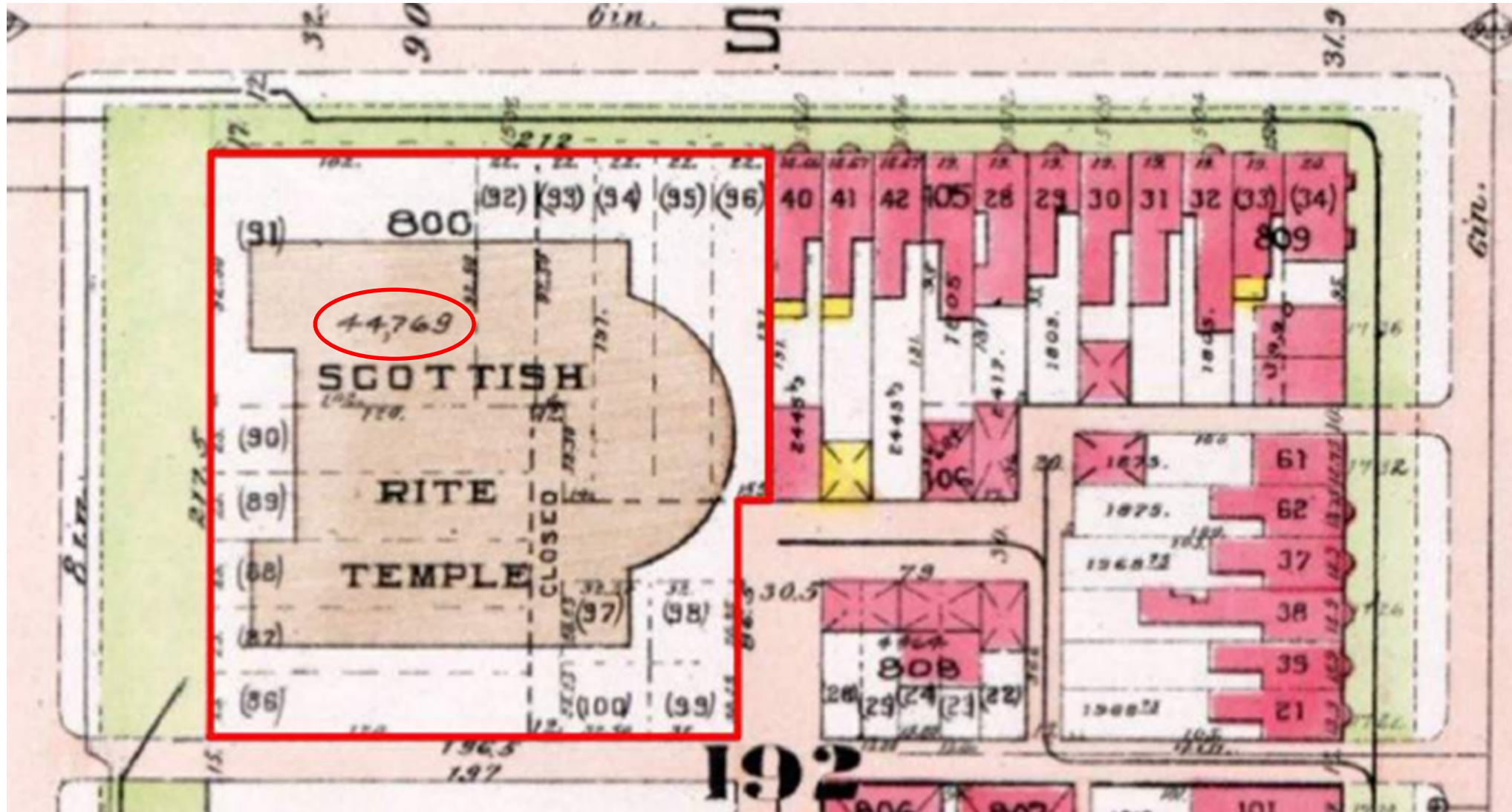


# Approved Subdivision Plat

S STREET, N.W.

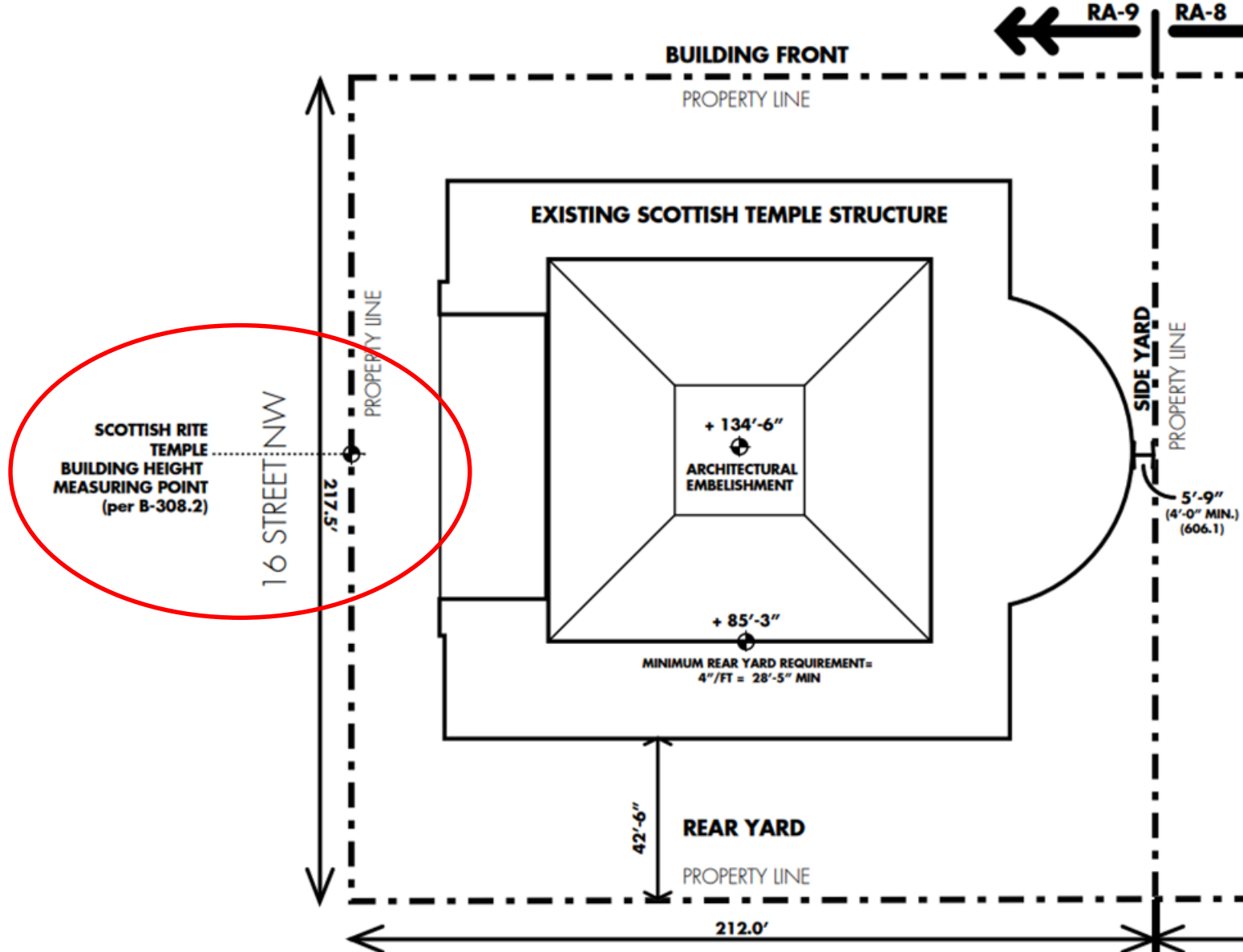


# Original Temple Lot: 1919 Baist Map





# Building Height Measuring Point



## Rear Yard: South Side of Temple

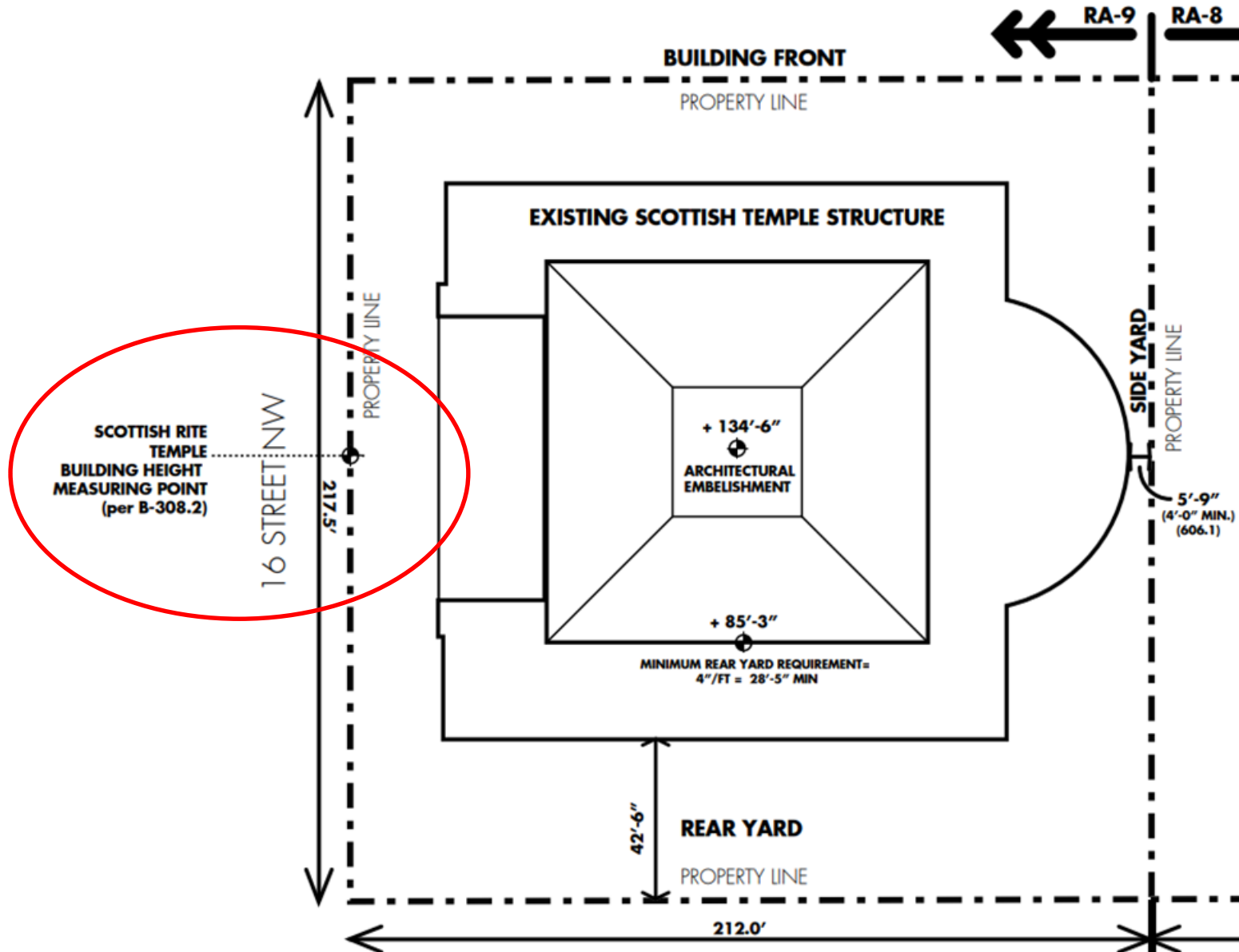
- “Street Frontage” Definition (§ B-100.1). “When a lot abuts upon more than one (1) street, the owner shall have the option of selecting which is to be the front for purposes of determining street frontage.”
- *Appeal No. 18152 of ANC 1D (2012) (Mount Pleasant Library Appeal)*  
**“[A]ny prior designation of the front of a building does not bind the property owner . . . so long as the existing building will remain conforming. The Zoning Regulations do not prohibit this result and the flexibility it affords is consistent with the intent of the regulations.”**

## **Rear Yard: South Side of Temple**

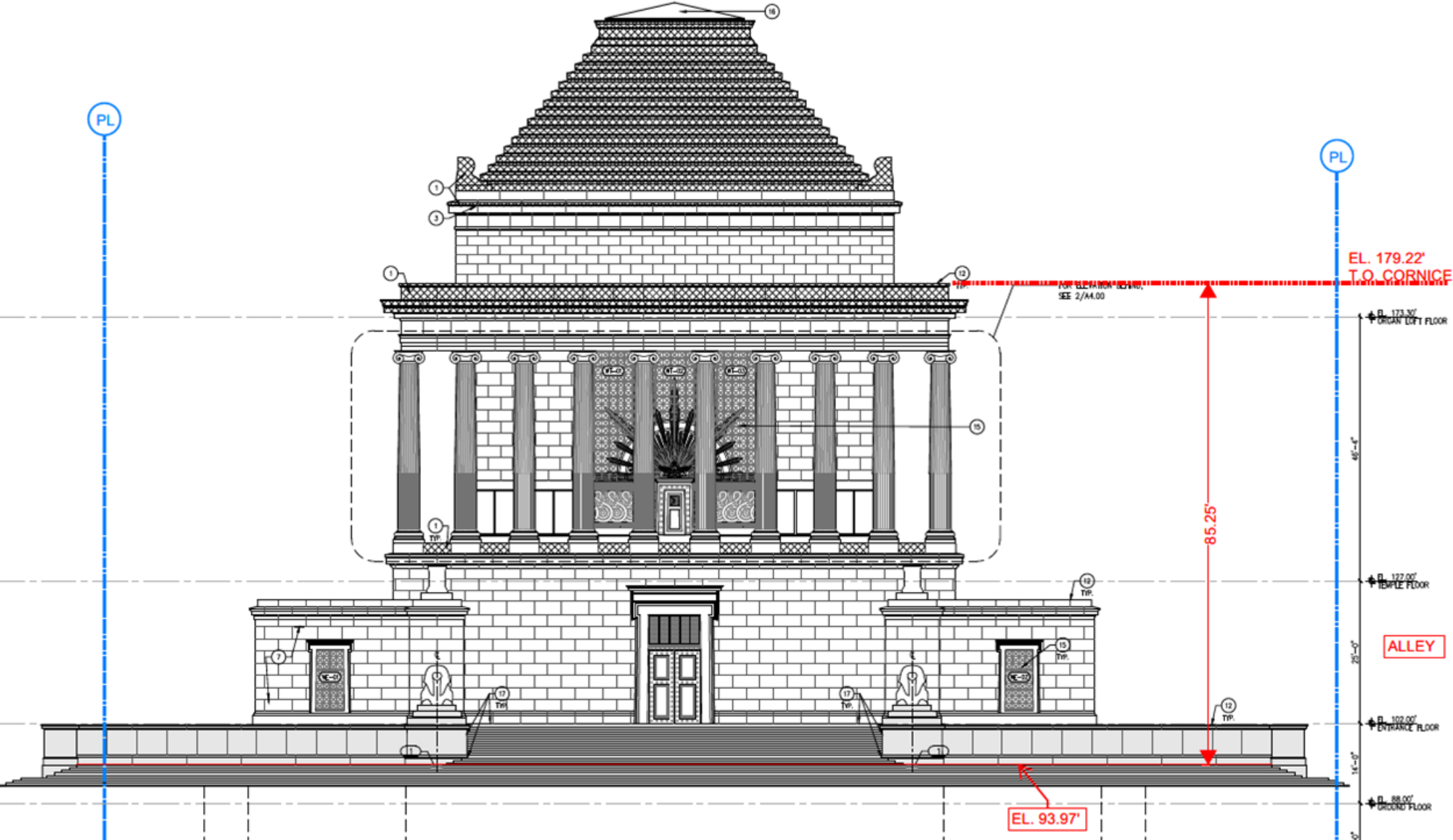
*Appeal No. 19080 of Adams Morgan Neighbors for Action (2016) (Line Hotel Appeal)*

“Nor, stated the ZA, is the selection of street frontage tied in any way to the measurement of building height; i.e. the ZA testified that ‘measuring the building height can occur on another street frontage besides the choice of the frontage for the frontage of the lot.’ . . . The Board believes this is a reasonable interpretation. The Board agrees with the position advanced by DCRA’s counsel, that there is a distinction built into the Zoning Regulations between the determination of ‘street frontage’ and the ‘front’ of a building. Street frontage is used, among other things, to determine the rear lot line designation; whereas, building frontage is used to measure building height.”

# Building Height Measuring Point



# Building Height: West (16<sup>th</sup> Street) Elevation





# Building Height: Architectural Embellishments

- 1910 Height of Buildings Act, Section 5: “Spires, towers, *domes*, minarets, pinnacles, pent houses over elevator . . . may be erected to a greater height than any limit prescribed in this Act when and as the same may be approved by the Commissioners of the District of Columbia.”
- Section C-1501.3: “Architectural embellishments consisting of spires, tower, *domes*, minarets, and pinnacles may be erected to a greater height than any limit prescribed by these regulations or the Height Act, provided the architectural embellishment does not result in the appearance of a raised building height for more than thirty percent (30%) of the wall on which the architectural embellishment is located.”

# What's Special About Zoning in D.C.?

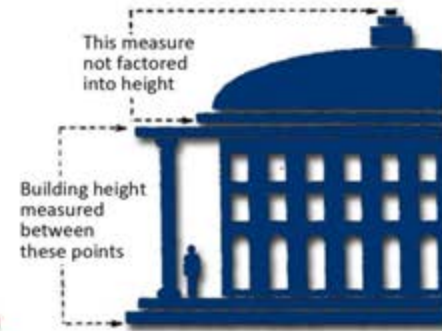
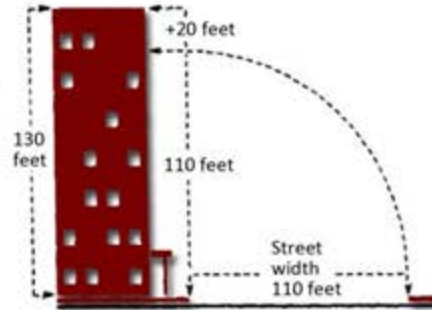
- The federally-mandated Height Act of 1910 cannot be superseded by other zoning laws.

## BROAD AVENUES, WIDE VISTAS, SHORT BUILDINGS

The federal Height Act of 1910 restricts a building's height, in most instances, to the width of the street it fronts, plus 20 feet. A corner structure may use the wider of the two streets as the basis for measurement.

The act limits most buildings to 110 feet, but those on wider boulevards, such as K Stret and 13th Street, reach heights of 130 feet. Pennsylvania Avenue buildings may go as high as 160 feet.

Under the act, rooftop embellishments, such as domes, spires and minarets, are not computed as part of a building's total height, which is measured from the front center of the structure.



White House  
Height: 85 feet



U.S. Capitol  
Height: 300 feet

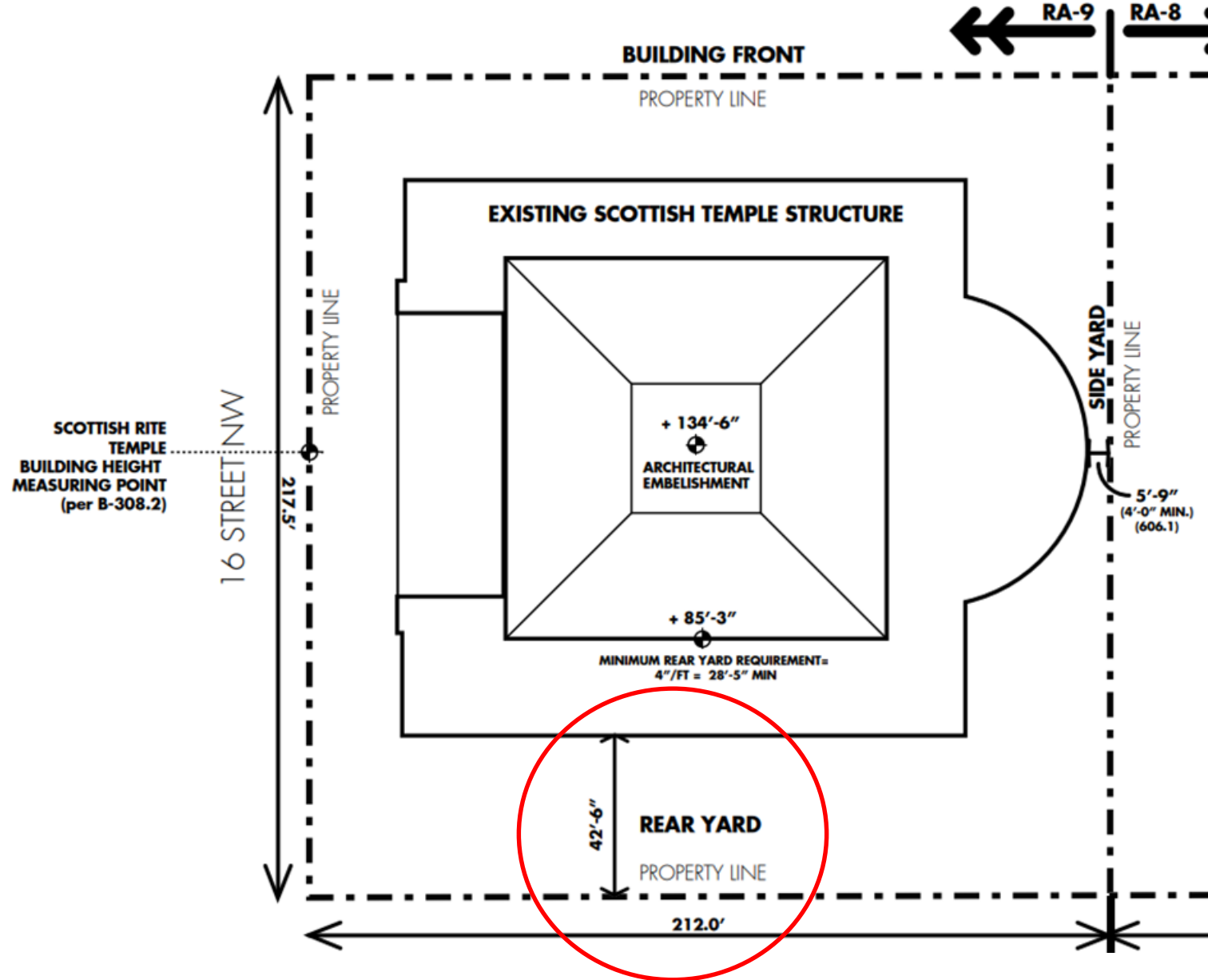


Washington Monument  
Height: 555 feet





# Rear Yard Measurement



# Rear Yard Measurement

- Definition of Yard: “An exterior space, other than a court, on the same lot with a building or structure. A yard required by the provisions of this title shall be open to the sky from the ground up, and shall not be occupied by any building or structure, except as specifically provided in this title . . . .”
- Analogous to Board’s decision in *Appeal No. 18888 of Adams Morgan for Reasonable Development* (2017), in which the Board affirmed that a ramp leading down to a below-grade garage did not violate the rear yard requirement.

# Rear Yard Measurement

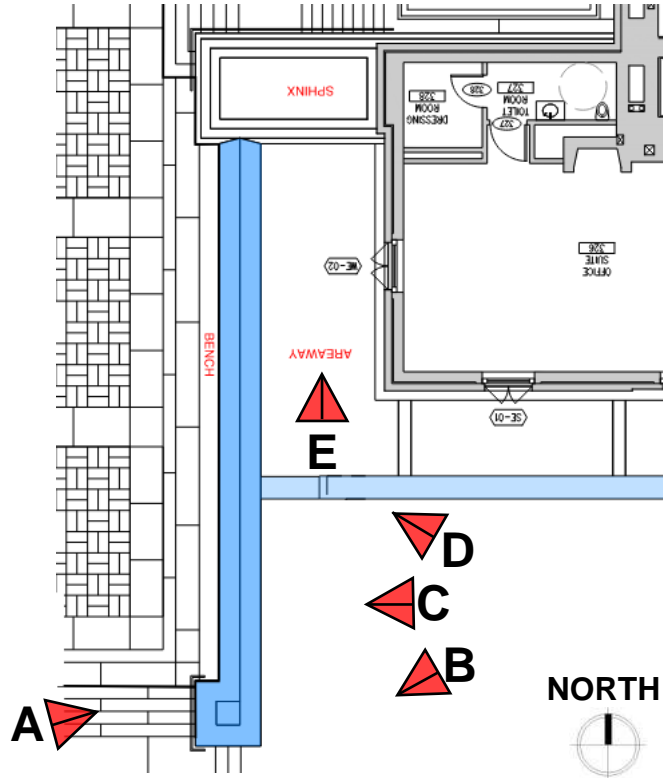
## Section B-324:

Every part of a yard required under this title shall be open and unobstructed to the sky from the ground up except as follows:

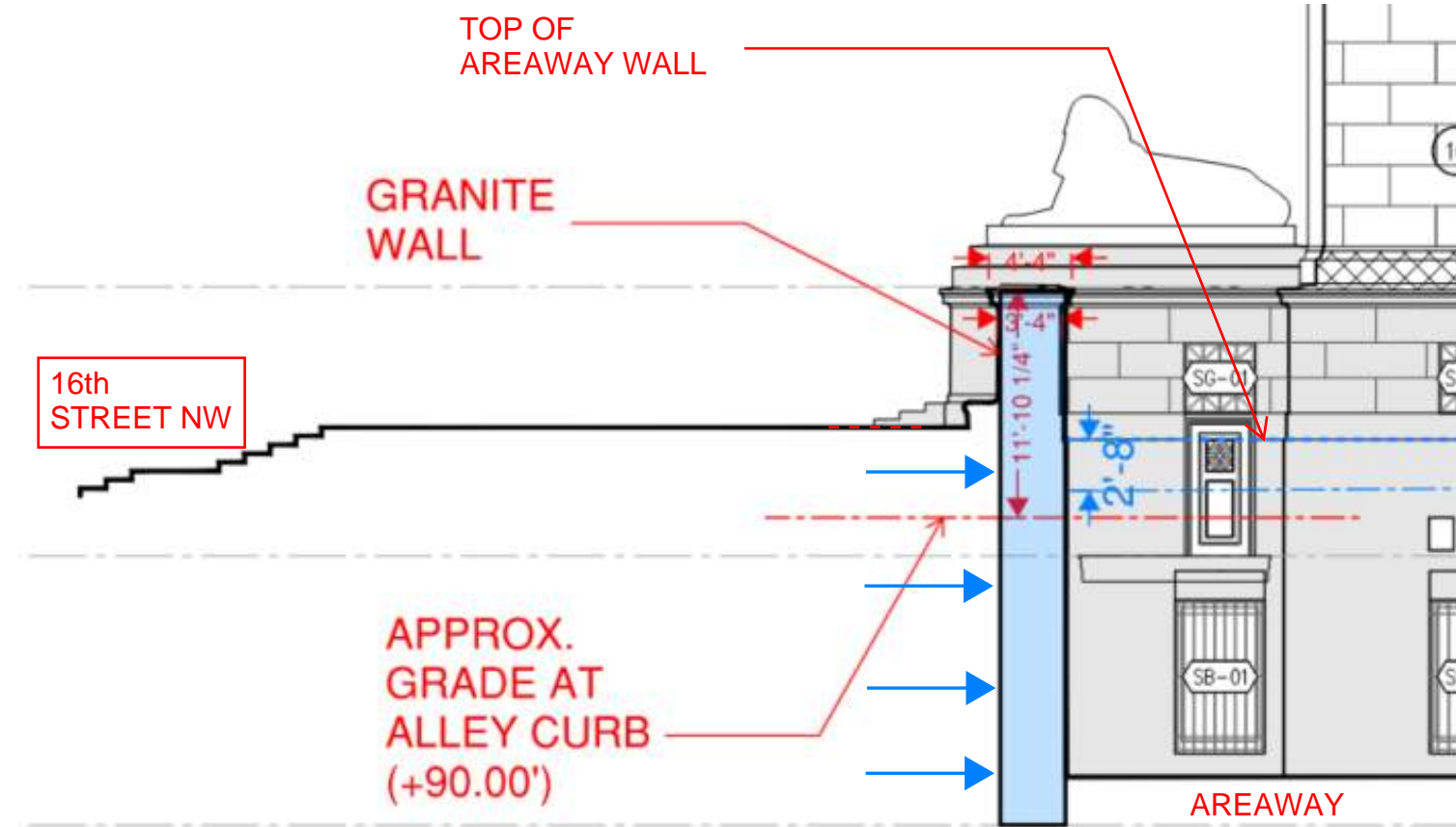
- (a) A structure, not including a building no part of which is more than four feet (4 ft.) above the grade at any point, may occupy any yard required under the provisions of this title. Any railing required by the D.C. Construction Code Supplements, Title 12 DCMR, shall not be calculated in the measurement of this height;
- (b) A fence or retaining wall constructed in accordance with the Construction Code may occupy any yard required under the provisions of this title; and
- (c) Stairs leading to the ground from a door located on the story in which the principal entrance of a building is located may occupy any yard required under provisions of this title. The stairs shall include any railing required by the provisions of the Construction Code.



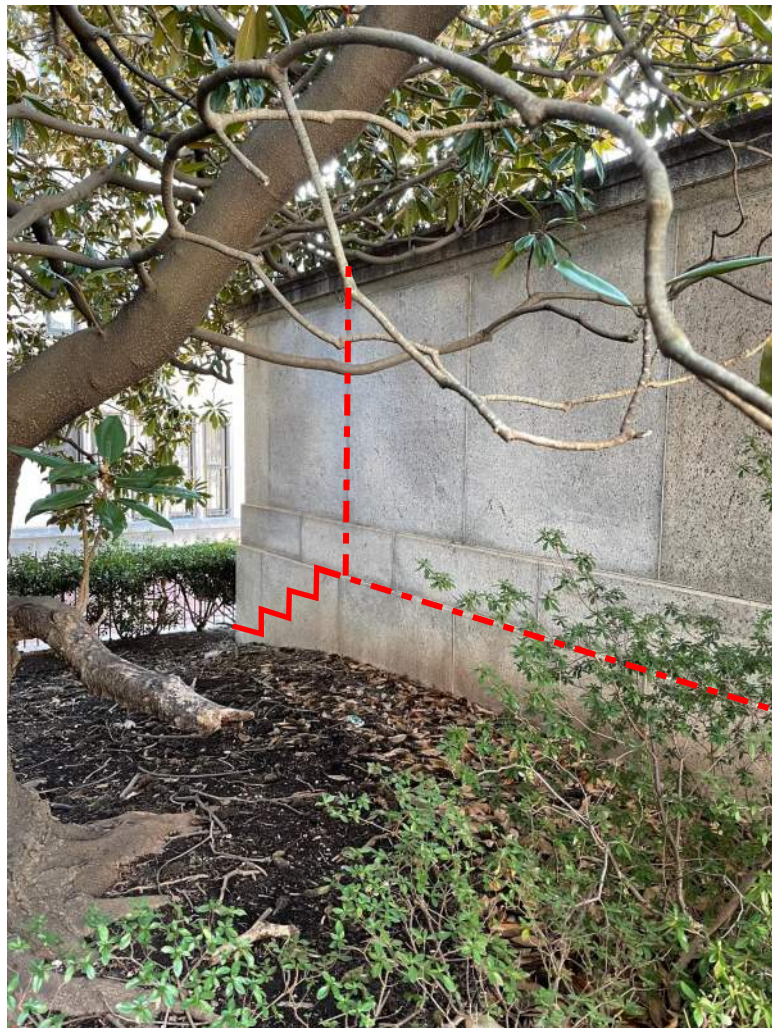
VIEW A (looking Northeast)



PLAN (Southwest Corner)



E-W SECTION AT AREAWAY



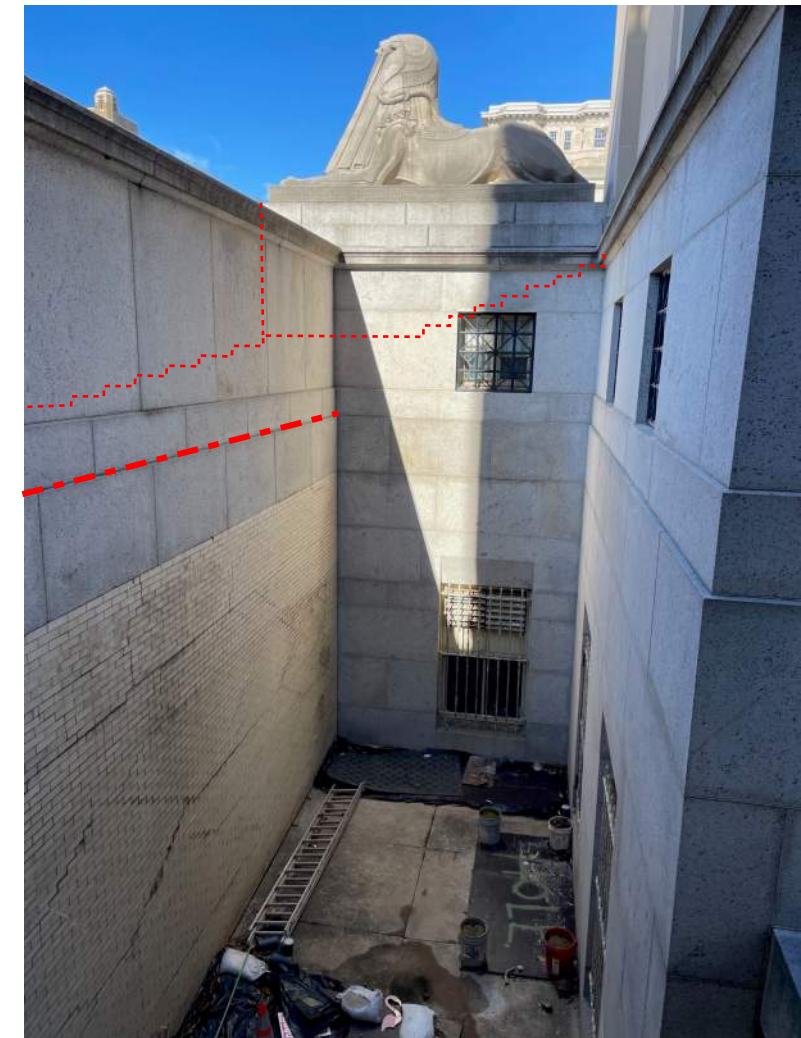
VIEW B (looking Southwest)



VIEW C (looking West)



VIEW D (looking Northwest)



VIEW E (looking North)

**SOUTH RETAINING WALL**

# Rear Yard Measurement

Section B-318.2: “The depth of a required rear yard shall be measured as the mean horizontal distance between the rear line of a building and the rear lot line, except as provided elsewhere in this title.”

## RANDOM HOUSE WEBSTER’S UNABRIDGED (2<sup>nd</sup> Edition)

**mean**<sup>3</sup> (mēn), *n.* **1.** Usually, **means**. (*used with a singular or plural v.*) an agency, instrument, or method used to attain an end: *The telephone is a means of communication. There are several means of solving the problem.* **2. means, a.** available resources, esp. money: *They lived beyond their means.* **b.** considerable financial resources; riches: *a man of means.* **3.** something that is midway between two extremes; something intermediate: *to seek a mean between cynicism and blind faith.* **4. Math. a.** a quantity having a value intermediate between the values of other quantities; an average, esp. the arithmetic mean. **b.** either the second or third term in a proportion of four terms. **5. Statistics.** expected value.



# Rear Yard Measurement

## MERRIAM-WEBSTER'S DICTIONARY (online)

### Definition of *mean* (Entry 4 of 4)

“1 a (1): something intervening or intermediate

(2): a middle point between extremes

b: a value that lies within a range of values and is computed according to a prescribed law: such as

(1): arithmetic mean

(2): expected value

c: either of the middle two terms of a proportion . . .”

### Definition of *arithmetic mean*

“a value that is computed by dividing the sum of a set of terms by the number of terms”

# Building Height to Calculate Rear Yard

- Even if building height were measured from S Street NW and even if it were measured from the bottom of the areaway, the rear yard would still comply.
- In that case the building height would be 102.7' resulting in a minimum rear yard requirement of 34.2'. The rear yard is 42.5' and thus complies.

# Side Yard: Temple Complies

- No side yard requirement along 16<sup>th</sup> Street: under § F-606.4, in the RA-9 zone, a side yard is not required along a side street abutting a corner lot.
- East side yard complies: under § F-606.1, the minimum requirement is 4' and the Temple's side yard is 5'9".

# Parking and Loading: Not Triggered Because No Addition

- Section C-701.2: “Where required, the minimum parking requirements set forth in Subtitle C § 701.5, in addition to any specific parking requirements of this title, **shall be met when a new building is being constructed.**”
- Section C-901.2: “The loading requirements **shall be met when a new building or structure is being constructed.**”

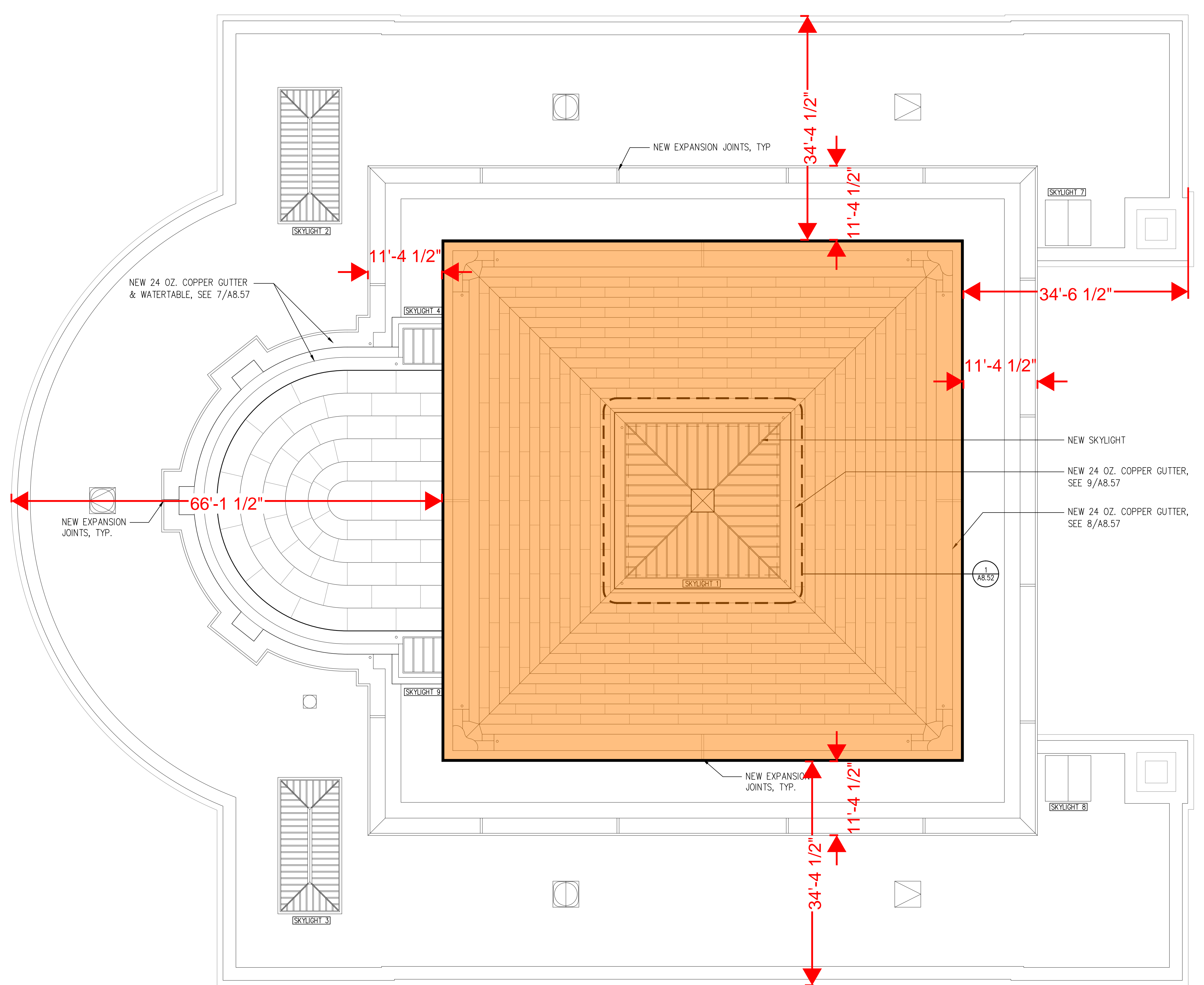
# Building Height: Not Reviewed for Subdivisions

- Building height, as a standalone requirement, is not one of the development standards reviewed for an application for subdivision.
- Section C-302.1 does not list building height as a requirement:  
“Where a lot is divided, the division shall be effected in a manner that will not violate any provision of this title for yards, courts, other open space, minimum lot width, minimum lot area, floor area ratio, percentage of lot occupancy, parking spaces, or loading berths applicable to that lot or any lot created . . . .”
- In any event, as demonstrated the Temple has a height of 85.25’, within the maximum 90’ permitted in the RA-9 zone, and further was constructed prior to the adoption of the Zoning Regulations.

# Purpose and Intent Provisions: Not Applicable to Subdivision

- Purpose and intent provisions are outside the scope of the Zoning Administrator's review, and the ZA has no authority to deny (or approve) an application for subdivision based on such provisions.
- *Appeal No. 18429 of Edward V. Hanlon (2013)*: “[P]urpose provisions . . . are merely precatory and do not alter the matter of right standard.”
- The approved Subdivision is fully consistent with the purpose and intent of the RA-8 and RA-9 zones because it will permit construction of a new residential apartment building, which will include affordable units.





**GENERAL NOTES**

1. FOR LIGHTNING PROTECTION, SEE ELECTRICAL DRAWINGS

**OWNER**  
 THE SUPREME COURT CLERK, 3P  
 SCOTTISH RTE, SOUTHERN JURISDICTION  
 1733 16TH STREET, NW  
 WASHINGTON, DC 20009  
 202-533-5379

**ARCHITECT**  
**HARTMAN-COX ARCHITECTS, LLP**  
 1074 THOMAS JEFFERSON ST, NW  
 WASHINGTON, DC 20007  
 202-533-6446

**GENERAL CONTRACTOR OF RECORD**  
**DPR CONSTRUCTION**  
 2841 FAIRVIEW PARK DR.  
 FALLS CHURCH, VA 22042  
 703-698-0100

**HISTORIC PRESERVATION CONTRACTOR**  
**GRUNLEY CONSTRUCTION**  
 15029 SHADY GROVE ROAD, SUITE 500  
 ROCKVILLE, MD 20850  
 240-399-2000

**STRUCTURAL ENGINEERS**  
**KCE STRUCTURAL ENGINEERS, PC**  
 1818 JEFFERSON PLACE, NW  
 WASHINGTON, DC 20036  
 202-833-8624

**MECHANICAL ENGINEERS & CONTRACTOR**  
**SHAPIRO & DUNCAN, INC.**  
 14630 ROTHGEB DRIVE  
 ROCKVILLE, MD 20850  
 301-335-2139

**ELECTRICAL ENGINEERS**  
**DESIGNTECH, INC.**  
 10410 KENSINGTON PARKWAY, #200  
 KENSINGTON, MD 20895  
 301-949-2608

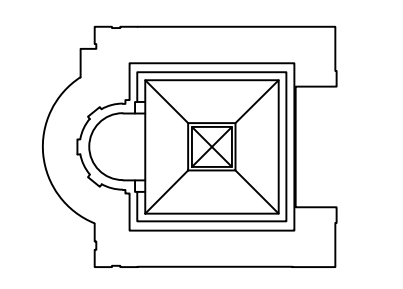
**ELECTRICAL CONTRACTOR**  
**E.C. ERNST, INC.**  
 1420 FITCHE MARLBORO ROAD  
 CAPITOL HEIGHTS, MD 20743  
 301-580-7776

**SUBMISSION**

01.26.15 100% CONSTRUCTION DOCUMENTS

**HOUSE OF THE TEMPLE**  
 1733 SIXTEENTH STREET NW  
 WASHINGTON DC

SEAL



KEY PLAN

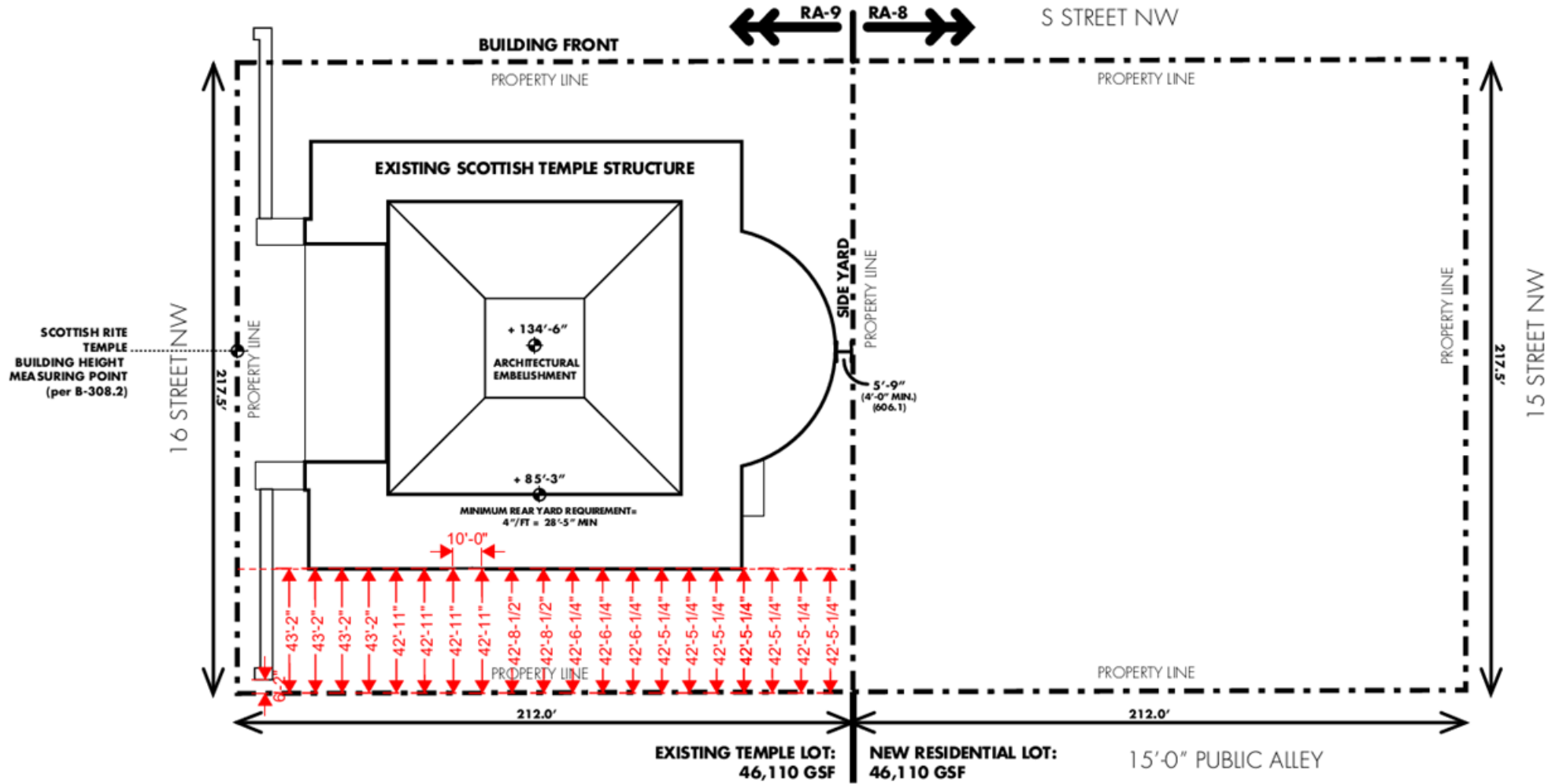
DRAWING TITLE  
**PROPOSED WORK  
 ROOF PLAN**

SCALE  
 1/8"=1'-0"

DATE  
 JANUARY 26, 2015

**A2.50**





01 SEGMENT	@ 6.17'	= 6.17'
04 SEGMENTS	@ 43.17'	= 172.68'
04 SEGMENTS	@ 42.92'	= 171.68'
02 SEGMENTS	@ 42.70'	= 85.40'
03 SEGMENTS	@ 42.52'	= 127.56'
07 SEGMENTS	@ 42.44'	= 297.08'
<b>21 SEGMENTS TOTAL = 860.57' / 21 = 40.98' AVG REAR YARD</b>		



PERSEUS·TDC

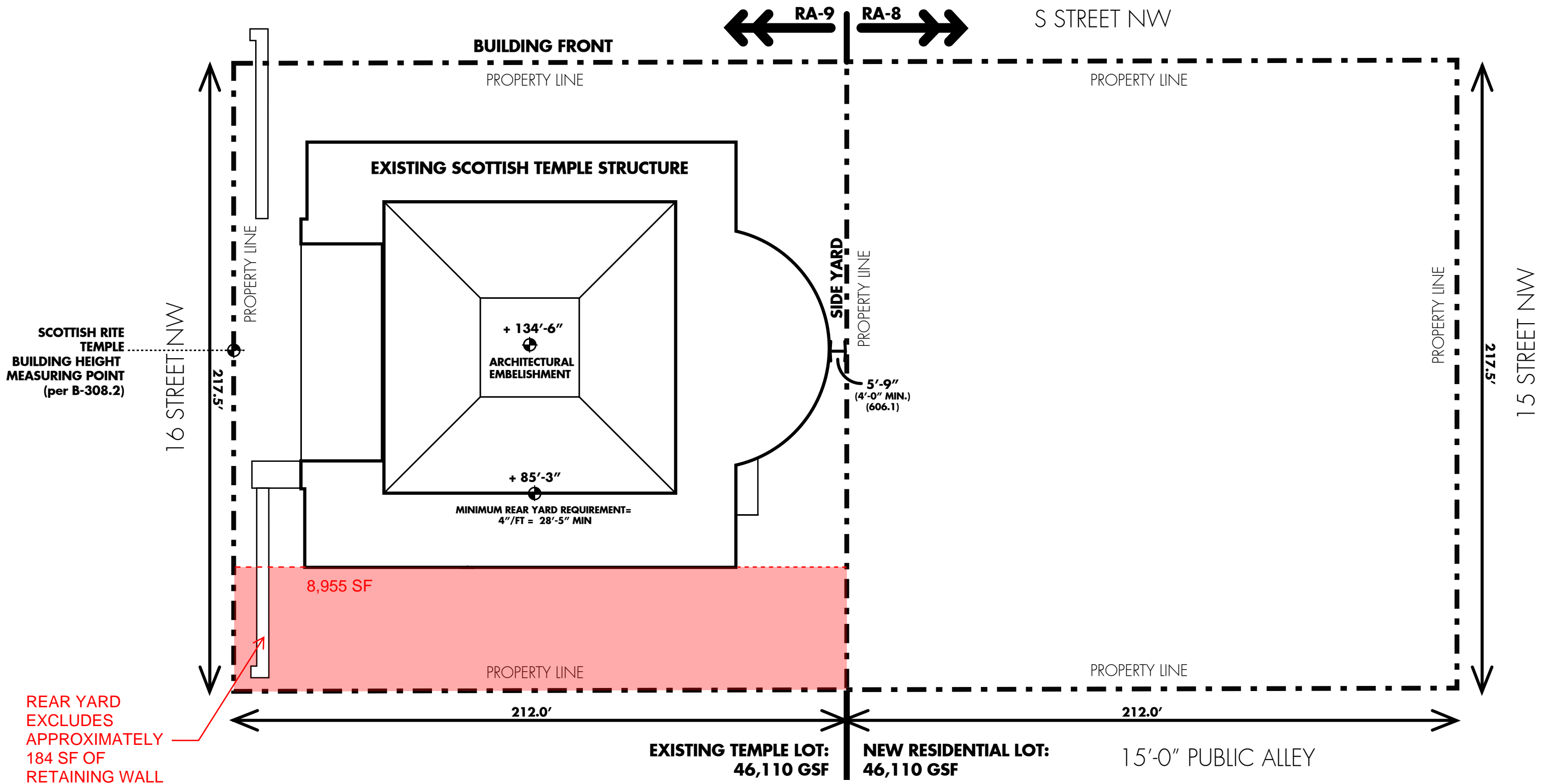
1733 16TH STREET NW



**AVERAGE REAR YARD  
SUBDIVISION SITE PLAN**

11.08.2021

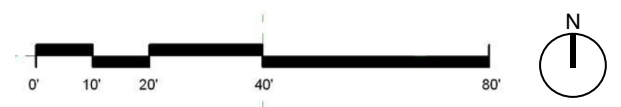
**A-1**



SCOTTISH RITE  
TEMPLE  
BUILDING HEIGHT  
MEASURING POINT  
(per B-308.2)

REAR YARD  
EXCLUDES  
APPROXIMATELY  
184 SF OF  
RETAINING WALL

AVERAGE REAR YARD WIDTH = AREA / LENGTH = WIDTH  
 AVERAGE REAR YARD WIDTH = 8,955 SF / 212.0' = 42.24' (42'-3")



THANK YOU