



DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS

Permit Operations Division

Code Modification Number: MNQ 1600324
1922811

APPLICATION FOR MODIFICATION OF REQUIREMENTS OF THE CONSTRUCTION CODES

Project Address: 301 Florida Ave NE
Washington, DC 20002

Building Permit #: TBD

Applicant: Dan Roth

Building Permit Number: PUD Application #: ZC 15-22

Applicant Address: 2217 14th St NW, Suite 300

Applicant Phone: 773.354.6916

Applicant's Relationship to Project: Development Manager

Applicant Email: Dan@DittoDC.com

Owner: 301 FL Manager LLC

Owner Phone: 202.417.3937

Owner Address: 2217 14th St NW, Suite 300
Washington, DC 20009

Owner Email: Info@DittoDC.com

In accordance with Section 104.10 of the Construction Codes (Title 12 of the District of Columbia Municipal Regulations ("DCMR")), I hereby request approval of this proposed modification to the requirements of the following specified section(s) of the Construction Codes (or of the International Construction Codes as applicable) for the permit indicated above.

See Exhibit-A

DCMR Title 12 Section 3202.7.1.1 - Minimum Clearance to Curb Line

1) Are there specific individual reasons that make the application of the strict letter of the Construction Codes to this project impractical? Yes No

If Yes, please explain (use additional sheets as necessary).

See Exhibit-A

2) Does the requested modification comply with the intent and purpose of the Construction Codes? Yes No

If Yes, please explain (use additional sheets as necessary).

See Exhibit-A

3) Does the requested modification lessen health, accessibility, life safety, fire safety, or structural requirements? Yes No

If Yes, please explain (use additional sheets as necessary).

See Exhibit-A

ZONING COMMISSION

District of Columbia

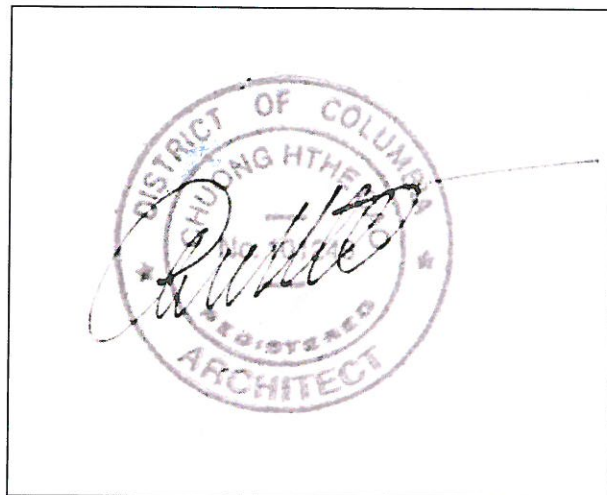
CASE NO.15-22

EXHIBIT NO.35C




DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS

D.C. Registered Design Professional's Seal



A registered design professional's seal is required unless the applicant can demonstrate **to the satisfaction of the Code Official** that the proposed modification does not affect a technical, structural, fire safety or design requirement, or any requirement affecting the public health, safety, or welfare, or involving the practice of engineering. **If a seal is not provided, please justify the absence in the space provided. Use additional sheets as necessary.**

Owner's Signature: 
Printed Name: 301 FL Manager LLC

Applicant's Signature: 
Printed Name: Dan Roth

Date: November 16, 2015

DCRA Reviewer's Comments: According to street data on DDOT website, e.TOPS, Florida ave has a ROW = 100 ft. Therefore, per DCMR Title 12 supplement of 2013, Min clearance from outer edge of curb to projection = 15ft. The Building line is already 3ft less than 15ft minimum offset, or clearance. Therefore, any projection, or bay window shall not be allowed.

GOVERNMENT OF THE DISTRICT OF COLUMBIA



DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS

Recommend Approval Recommend Denial

Date: 2/18/16

DCRA Reviewer's Signature: *Ben Johnson*
Printed Name: Ben Johnson

Chief Building Official Comments and/or Conditions:

[Lined area for Chief Building Official Comments and/or Conditions]

Approved Denied 3-1-2016
Date

[Signature]
Chief Building Official Signature

EXHIBIT-A: 301 FLORIDA AVE NE, WASHINGTON, DC
CONSTRUCTION CODE MODIFICATION APPLICATION

Modification of Projection Requirements (Pursuant to DCMR Title 12 Section 3202.7.1.1)

- **The modification to the DC Construction Codes Supplement is requested in order to accommodate the following practical difficulty:**

The Owner desires to deliver a Class 'A' mixed-use (retail and residential) building to the rapidly developing area north of NoMa. Bound by the relatively recent residential high-rise development of NoMa to the west and southwest, historic Gallaudet University to the east and light-scale industrial and commercial market development to the north, it is necessary for 301 Florida Avenue to create a building design that not only competes with the market, but also incorporates the diverse city scales and context in order to be harmonious with the surrounding community.

One important architectural element to the design of the building is the 4' bay window projections along the three sides of the facade (Florida Avenue, 3rd Street & N Street). The proposed bay window projections, from floors two through eight, enhance the design aesthetic of the building and create a visual variety so as to help to reduce the overall building scale that otherwise may be monolithic for the 101' tall building, particularly along the 203' long Florida Avenue facade. In addition to scale, the bay windows improve the prominence and visibility of the building, bring light into the residential units, as well as create a consistent facade massing and articulation on all three sides.

Another important element to the building design is the architectural frame embellishment on Florida Avenue. The architectural frame projects 18" from the building line and encases the Florida Avenue bay windows. This element helps to establish hierarchy among the three facades, creating greater visual importance on the Florida Avenue facade, the building front.

A waiver is being requested for the bay window and the architectural frame embellishment projections along Florida Avenue.

- **This proposal meets the intent of the Code specified because:**

The proposed bay window projections along the 300 block of Florida Avenue, N.E. are permitted as defined by Section 3202.6. The design of the bay windows is also in compliance with Section 3202.10.3 and Subsections 3202.10.3.1 through 3202.10.3.4 which define and regulate width, height, projection depth, and other bay window restrictions.

Section 2013 DCMR Title 12A, Section 3202.7.1.1-'Minimum Clearance to Curb Line' requires a minimum fifteen feet clear space from the outer edge of the curb to the outer face of all projections on streets more than 90' wide. Along the 300 block of Florida Avenue, N.E., the street is 100' R.O.W., and the existing sidewalk width, outer edge of the curb to the building line, is twelve feet.

Section 3202.4-Modification of Projection Requirements authorizes code officials to grant modifications of requirements for projections and embellishments of a building when the modification is deemed in the general public interest. The criteria is based on four provisions (Section 3202.4.1). We believe this modification request to embellish the building meets the four provisions given the following:

1. The primary object of the modification is not the occupation of additional space.

The four primary objectives for the bay window and architectural frame embellishment projections along Florida Avenue are:

1. To provide an appropriately scaled building that harmonizes with the neighborhood.
2. To provide a consistent facade reading with the N and 3rd Street building facades and to establish the importance of Florida Avenue as the building front.
3. To increase building prominence and visibility in order to compete with the developing Class 'A' market.
4. To provide the residential units additional light and visual connection to the outside.

The primary object for the bay windows and the architectural frame embellishment is not to occupy additional space as the spaces connected to the bay windows are sufficient and functional in size without them.

2. The primary object of the modification is not changing of interior arrangements.

As indicated in the provision 1 response, the interior spaces connected to the bay windows are of sufficient and functional size without the bay windows; thus, the interior arrangements will remain unchanged irrespective of the requested window bays.

3. In the opinion of the code official, such modification will not interfere with the adjacent buildings.

The proposed building will be the only building on the block and will not have any future adjacent buildings that could be interfered with along Florida Avenue where the requested projections would be located.

Furthermore, at the ground floor along Florida Avenue, the retail line is set back from the property line by three feet in order to provide a more generous and appealing sidewalk. The newly proposed trees are synchronized between the bay windows as to create a rhythm along Florida Avenue.

4. In the opinion of the code official, such modification will not interfere with the general public interest.

Based on the reasons indicated for the three previous provisions and careful consideration of the benefits to the community, we are of the opinion that the requested modification will not interfere with the general public interest, but instead will enhance the surrounding neighborhood.

• **Conclusion:**

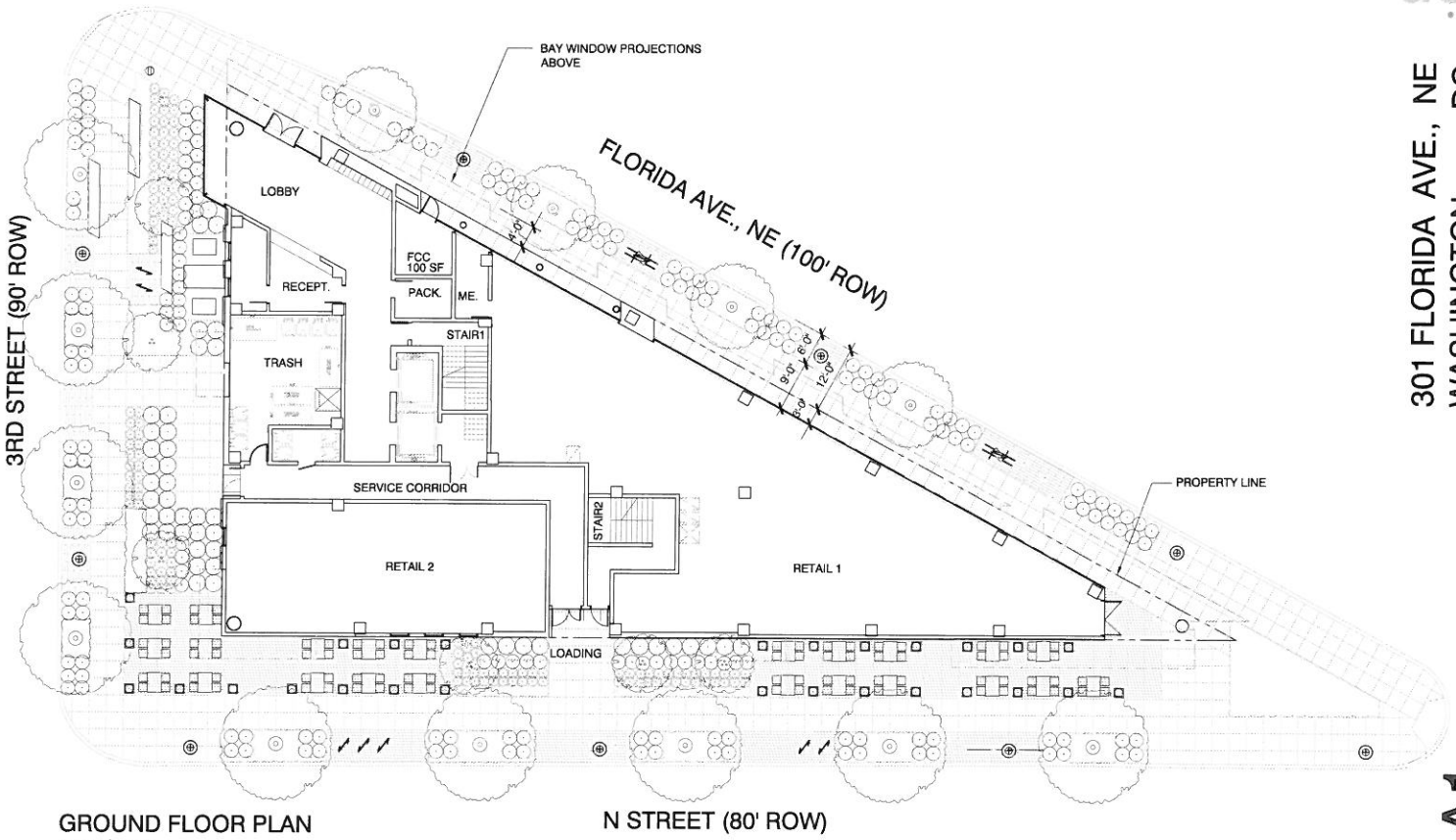
The presence of the bay windows and the architectural frame embellishment along Florida Avenue will: 1) provide a balanced scale building that is more harmonious with the surrounding neighborhood; 2) provide a cohesive facade articulation on all three streets; 3) provide prominence and beauty to Florida Avenue and the community north of NoMa by enhancing the design aesthetic of the building; 4) enhance the quality of the interior space by providing more light and connection to the exterior.

We believe the bay window and architectural frame embellishment projections along Florida Avenue are of special merit that meet the intent of the provisions defined by Section 3202.7.1.1 of the 2013 DCMR Title 12A. We request that a variance be granted.

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301 FLORIDA AVE., NE
WASHINGTON, DC



GROUND FLOOR PLAN

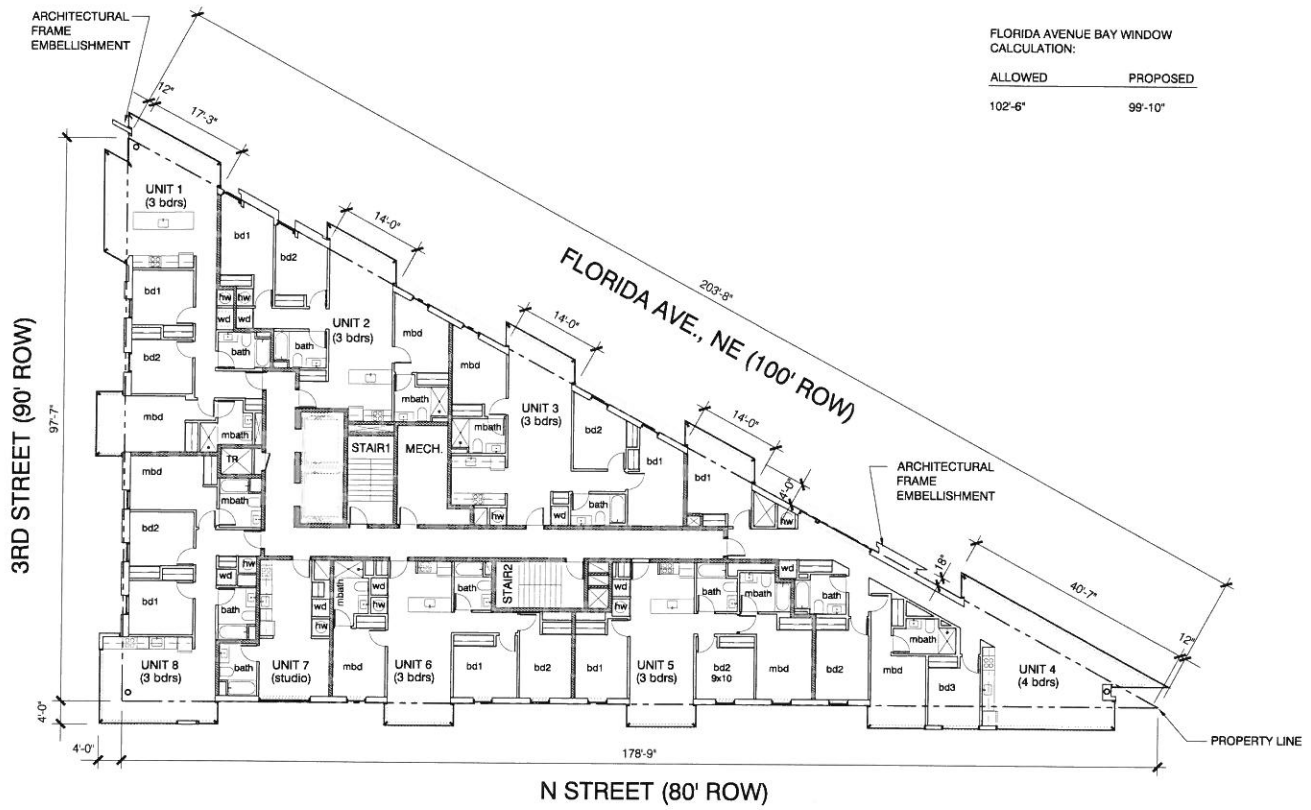
SCALE: 1/8" = 1'-0"

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301 FLORIDA AVE., NE
WASHINGTON, DC



TYPICAL FLOOR PLAN: 2-8

SCALE: 1/8" = 1'-0"

A2

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PENTHOUSE	173.30'
PARAFET	161.30'
ROOF	157.30'
8TH FLR	145.05'
7TH FLR	134.55'
6TH FLR	124.05'
5TH FLR	113.55'
4TH FLR	103.05'
3RD FLR	92.55'
2ND FLR	82.05'

301 FLORIDA AVE., NE
WASHINGTON, DC

BHVP	60.30'
LOBBY	58.05'

FLORIDA AVENUE ELEVATION

SCALE: 1/8" = 1'-0"

A3

301 FLORIDA AVE., NE
WASHINGTON, DC



3RD STREET ELEVATION
SCALE: 1/16" = 1'-0"

A4

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301 FLORIDA AVE., NE
WASHINGTON, DC



PENTHOUSE	173.30
PARAPET	161.30
ROOF	157.30
6TH FLOOR	145.05
7TH FLOOR	134.55
6TH FLOOR	124.05
5TH FLOOR	113.55
4TH FLOOR	103.05
3TH FLOOR	92.55
2TH FLOOR	82.05
RETAIL	63.51
BHMP	60.30
LOBBY	58.05

101.00

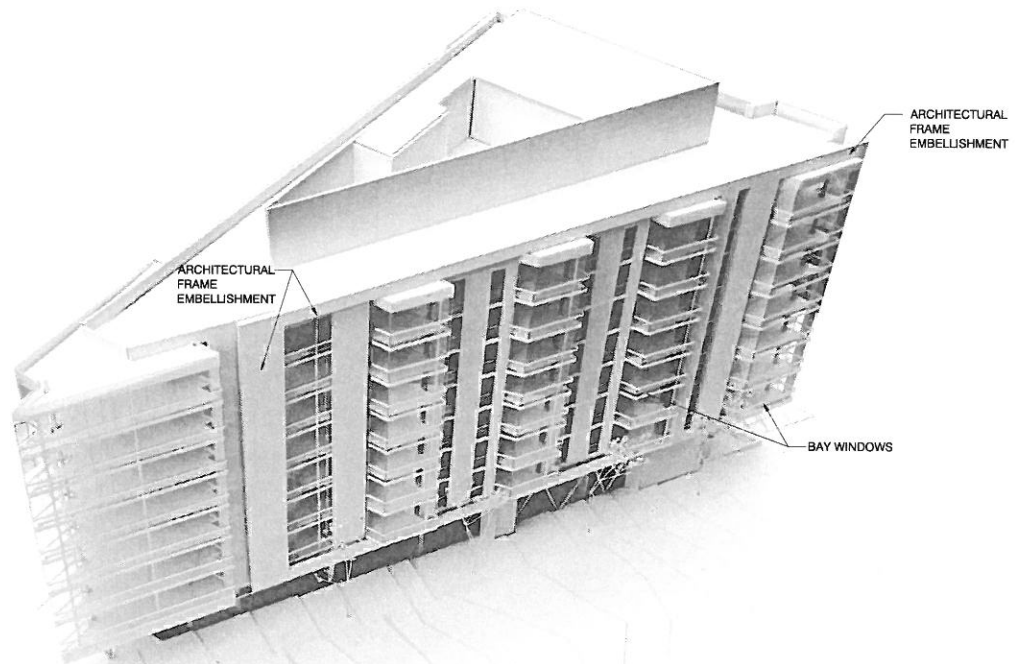
N STREET ELEVATION

SCALE: 1/8"=1'-0"

A5

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301 FLORIDA AVE., NE
WASHINGTON, DC

FLORIDA AVENUE MODEL PERSPECTIVE

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