

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OFFICE OF THE ZONING ADMINISTRATOR**



August 27, 2014

John Patrick Brown, Jr., Esq.  
Greenstein DeLorme & Luchs, P.C.  
1620 L Street, N.W. - Suite 900  
Washington, D.C. 20036

Re: The Envoy Apartments- 2400 16<sup>th</sup> Street, NW Square 2571, Lot 104 (“Property”)

Dear Mr. Brown:

In response to the information and documentation you have provided to me (and attached to this letter) and the meetings held in my office on February 20 and June 3, 2014, this letter is to confirm my determination that the existing penthouse structure may be renovated and used for accessory tenant amenity uses customary to an apartment building, including but not limited to fitness center, community room, recreation facilities, storage, showers and lavatories incidental to the roof deck, communal recreation space on the roof and within the existing enclosed structure, in compliance with the applicable Zoning Regulations, including §411, and can be completed as a matter-of-right, subject to obtaining all required building and other permits.

In making this determination, I have relied on the following established zoning and historical information for the Property and the penthouse.

The Property is split zoned D/R-5-B and R-5-D which permits the existing pre-1958 apartment building as a matter-of-right. The Property (originally known as, Meridian Mansions) was designated as a D.C. Historical Landmark in 1982 and placed on the National Register of Historic Places in 1983. The following documented history for the Property is relevant to my determination:

<u>DATE</u>	<u>EVENT</u>
<b>1916 – 1918:</b>	Construction completed of seven-story apartment building with a nine-room penthouse apartment. The penthouse was above the height limit, but an “exception” was granted by the Inspector of Buildings. <i>Envoy Apartments, Historical Overview</i> by EHT Tracerics (September 2013) at Page 3 (“EHT Report”), <u>Exhibit A</u> .
<b>1940s:</b>	Dispute over use and occupancy of penthouse apartment above the height limit. EHT Report. <i>Id</i> .
<b>1944:</b>	Penthouse vacated as residence. <i>Id</i> . See also photograph of penthouse, circa 1942, <u>Exhibit B</u> .

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<b>1951:</b>	District Commissioners opposed House bill that would allow penthouse use for living quarters or office space. EHT Report at Page 3.
<b>1952:</b>	Private Law 623 signed by President Harry S. Truman authorizing the use of the penthouse, "despite any restriction on the use or height of buildings . . . may be used for office, but not for living quarters." <u>Exhibit C</u> , EHT Report at Pages 3 and 4.
<b>1960 – 1964:</b>	Rooftop pavilions and lamp standards removed. EHT Report at Page 4.
<b>1981:</b>	Building altered and rehabilitated. The interior was completely reconfigured, including the penthouse which became an exercise room and common space for building tenants. <i>Id.</i> ; DC approved Roof Plan (4/9/1981), <u>Exhibit D</u> ; See also current photographs of penthouse shell, <u>Exhibit E</u> .
<b>April 1983:</b>	Condominium Declaration recorded, establishing rooftop recreational areas as General Common Elements for use by all residents. <u>Exhibit F</u>
<b>Dec. 1983:</b>	Initial Phase Plats and Plans of Condominium Subdivision recorded, including 128 residential units, 3 commercial units (including Unit C-3 on rooftop) certified as in compliance with the Zoning Regulations. <u>Exhibit G</u> .
<b>Dec. 1983:</b>	Phase 2 Plats and Plans of Condominium Subdivision recorded, including 174 residential units certified as in compliance with the Zoning Regulations. <u>Exhibit H</u> .

Based on this extensive background, the existing penthouse space as shown on the 1981 approved permit plans and outlined on the attached Existing Penthouse Level Plan (2002), may be renovated for tenant amenity uses that are ancillary and customary to the existing apartment building and the rooftop deck area surrounding the penthouse. Exhibit I.

I trust this letter is responsive to your request.

Sincerely,



Matthew Le Grant  
Zoning Administrator

Enclosures

Exhibits A to I, as Referenced.

File: Det Let re The Envoy 2400 16<sup>th</sup> St NW to Brown 8-27-14