



BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA



APPEAL

Before completing this form, please review the instructions on the reverse side.
Print or type all information unless otherwise indicated.

Pursuant to Section (s) §3100 and §3101 of the Zoning Regulations of the District of Columbia, an appeal is hereby taken

from the administrative decision of:

Name of administrative officer and title

DEPT. OF CONSUMER + REGULATORY AFFAIRS

made on

Date of decision

8/17/10

, to the effect that

work is permitted to

COMMENCE ON RENOVATING AND EXPANDING THE MT.
PLEASANT LIBRARY.

Address(es) of Affected Premises

Square(s)

Lot(s)

Zoning Districts

3160 LAMONT ST. NW

2595

0830

R-5-D

Present use of Property:

PUBLIC LIBRARY

Proposed use of Property:

PUBLIC LIBRARY

Owner of Property:

DC Public Library

Telephone No.:

202 727 0321

202 559 5368

Address of Owner:

901 G ST NW WDC 20001

Name, address and telephone number of lessee:

NA

CASE NO. 18152

EXHIBIT NO. 1

Name, address and telephone number of appellant, if other than owner:

COMMISSIONER CHRIS OTTEN

2032 BELMONT RD NW WDC 20009 #332 202 536 4065

State specifically manner in which appellant is aggrieved by the administrative decision, the allegations of error in the

administrative decision, and the relevant sections of the Zoning Regulations (see reverse for more detailed explanation).

Please use a separate piece of 8 1/2" x 11" to respond and attach it to the Form 125 Appeal.

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both.
(D.C. Official Code § 22-2405)

Date:

10/12/10

Signature:

Appellant*

* If appeal is filed by agent of the Appellant, Form 125 Appeal shall be accompanied by a letter signed by the appellant authorizing the agent to act on his behalf in this appeal.

To be notified of hearing and decision (Appellant or Authorized Agent*):

Name:

COMMISSIONER CHRIS OTTEN

Address:

2032 BELMONT RD NW #332 WDC 20009

Phone No.:

202 536 4065

Fax No.:

E-Mail:

chrisotten2@yahoo.com

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

Board of Zoning Adjustment
District of Columbia
CASE NO. 18152
EXHIBIT NO. 1

#1

APPEAL: Issuance of permit to renovate and build an addition on the Mount Pleasant Library
Appellant: ANC Commissioner Chris Otten, SMD 1C02; ANC Commissioner Gregg Edwards, Chair
ID; Commissioners en banc
Date: October 12, 2010
Square: 2595 Lot: 0830

On August 17, 2010, The DC Public Library (DCPL) informed the public by way of press release, limited to their website and one listserve, that their agency received a building permit from the Department of Consumer and Regulatory Affairs (DCRA) to begin construction on the Mount Pleasant Library renovation and expansion project.

This filing serves as an appeal to the arbitrary and capricious building plans and issuance of the permit to build such plans. The plans will affect adequate light and air to the surrounding neighbors, further overcrowd land in an already tight residential and commercial corridor known as a "trouble spot" by DC Fire Department officials, create conditions unfavorable to the protection of life and property to surrounding properties and the library by eliminating emergency access points to the rear of the library and surrounding properties, and does not follow building code with regard to safe and welcoming access to seniors and those with disabilities.

DCRA's zoning administrator has unfortunately in part helped to precipitate the above problems by arbitrarily redefining the location of the rear of the library so to allow DCPL to eliminate the rear yard zoning requirements. This has allowed the library to expand the library all the way to the rear property line, putting the new addition as close as fifteen feet to the surrounding properties.

Further, affected Advisory Neighborhood Commissions were never invited in to discuss the change in yard requirements and were never asked to pass a variance for the required parking pursuant to zoning regulations for the library and proposed addition.

The issuance of the permit has also ignored the rules set forth by Federal rules pertaining to safe and welcoming access to those with disabilities. The plans depict an accessibility ramp which is three times as long and high as the current accessibility ramp. This will reduce access to those with mobility issues and is unnecessary given the size and location of the current ramp.

There have been plausible design alternatives offered by Ward One Councilmember Jim Graham and other ADA/Universal Design architects that have been summarily dismissed by DCPL with no meaningful reasons as to why. Instead we are left to the arbitrary and capricious longer, less safe ramp as proposed in DCPL's building plans as permitted by DCRA. This ramp does not follow the Americans with Disabilities Act rules as well as International Building Code and International Existing Building Code. If this ramp is built it will put the City at risk of lawsuits for injury to library patrons either by direct accidents or indirectly by putting patrons in unsafe situations, and for reducing access and discrimination.

Further, construction safeguards are not in place to make sure the safety of the library property and surrounding neighbors are maintained.

DCPL's proposed plans themselves show the discrepancies with Building Codes and we expect the BZA to determine that the work-permit should be revoked. However, we have also attached expert review of the plans showing the major deficiencies.