Board of Zoning Adjustment hearing of March 23, 2004

I am Kenneth Bailey, the owner of the property at 4414 Albemarle Street, NW. I am appearing before you today to request a special exception allowing me to build a roof canopy above an existing basement stairwell at the side of my house. The purpose of the canopy is to limit the amount of rain falling into the stairwell. There is a drain at the bottom of the stairwell that functions effectively. However, it has been my experience that about once in every three or four years there is a rainstorm of such intensity, a cloudburst with several inches of rain falling within a short time, that the drain is overwhelmed. On such occasions, water accumulates at the bottom of the stairwell faster than the drain can dispose of it, causing water to rise to the bottom of the basement door and leak into the basement. By limiting the amount of rain falling into the stairwell, I expect to eliminate this problem.

The proposed canopy will project 36 inches into the side yard, which will make it even with the outer edge of the stairwell. I am advised by my architect, Dickson Carroll, that under Section 2505.2 I am allowed a roof projection of 24 inches as a matter of right. Therefore, this request for a special exception is to allow an additional 12 inches of projecting roof. I should note that the existing lot area and width is substandard, with a distance of 14 feet, 6 inches, between my house and the neighbor's house.

I have received and submitted to you a letter from the neighbors who own the house adjacent to the stairwell, stating that they have no objection to the construction of the canopy. I also submitted to the Advisory Neighborhood Commission 3E a letter from the owner of a house across the street. The proposed canopy would be visible from this neighbor's house. This letter states that the neighbor fully supports my request for an exception. In addition, I met with Advisory Neighborhood Commission 3E on February 12, 2004, and answered questions about the proposed canopy. At the conclusion of that presentation, the ANC voted 4-0 to approve my application for an exception.

Under the District of Columbia Municipal Regulations, Title ll, Section 3104. dealing with special exceptions, my application falls into subsection 223, additions to one-family dwellings or flats.

Subsection 223.2a states that the light and air available to neighboring properties shall not be unduly affected. The proposed canopy would be on the east side of my house and therefore would not cast a shadow on the adjacent neighbor's house. It does not block the free flow of air between the two houses.

Subsection 223.2b states that the privacy of use and enjoyment of neighboring properties shall not be unduly compromised. The proposed canopy does not interfere with the adjacent neighbors' use of their property.

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Subsection 223.2c states that the addition, together with the original building, as viewed from the street, alley, and other private way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage. The proposed canopy is at the back of the space between my house and the adjacent neighbor's house, and would only be visible from the street or the alley within the narrow space between the two houses.

Regarding the character of the proposed canopy, if you will look at page 2 of the architect's drawings, the south and east elevations, you will see that it is a simple three-sided roof projection. The roof will be copper. The brackets under the canopy are an elegant colonial style, and will be painted white. This design is consistent with the appearance of my house and with the character of the other houses in the neighborhood.

Regarding the scale, the proposed canopy is designed to have a length of 13 feet along the side of my house, and to project out 3 feet. It would be slightly longer than the stairwell below it, but exactly the same width as the stairwell. The scale is appropriate to the size of the stairwell it is protecting.

Regarding the pattern, other houses in the neighborhood have canopies over basement areaway steps. There is no adverse zoning effect or precedent set by this proposal. Also, the proposed construction is in full compliance with lot occupancy requirements.

Subsection 223.2d states that the applicant should use graphical representations such as plans, photographs, or elevation and section drawings to represent the relationship of the proposed addition to adjacent buildings and views from public ways. In compliance with this requirement, I draw your attention to my architect's plans and the three photographs I have submitted with my application.

I hope that the materials I have submitted give you a clear picture of the appearance of the canopy, its practical purpose, and its compatibility with the houses of the neighborhood.