

**THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

APPLICATION SATISFIES THE SPECIAL EXCEPTION STANDARDS

The Applicant is seeking Special Exception relief pursuant to G, 1200.1 that does not conform with the maximum permitted Floor Area Ratio required per Subtitle: G, 402.1 (X, 901.2) and minimum 15'-0" Rear Yard Setback pursuant to G, 1201.1 for the construction of a Rear Egress Stair, per Subtitle: G, 405.2 (X, 901.2) As outlined below, the Applicant satisfies the relevant requirements of Subtitles G, 1200.1 & 1202.1.

CHAPTER 12. G, 1200.1 - 1200.4:

(a) Will be in harmony with the general purpose and intent of the MU Zone, the Zoning Regulations and Zoning Maps.:

The proposed addition of the Rear Yard Egress Stair and Dumbwaiter is in harmony with the adjacent buildings because the additions are in harmony with the adjacent and surrounding buildings.

(b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.:

The neighboring properties use will not be adversely affected because the proposed Rear Yard Egress Stair and Dumbwaiter will not in any way block the light and air, or negatively impede their views. Several of the adjacent buildings have similar features that our proposed addition will be matching. See the attached photographs from Google Maps, which shows the layout of the existing buildings along the alley are very similar in character to our project.

The proposed Egress Stair Addition is also a crucial element required to provide a Second Means of Egress from the Roof Deck and Second Floor Restaurant, both of which are assembly spaces.

(c) Is subject in each case to any applicable conditions specified in this chapter.:

The proposed addition is subject to the requirements of this chapter.

CHAPTER 12. G, 1201.1:

(a) No apartments window shall be located within forty feet (40 ft) directly in front of another building.:

There are no apartment windows located in front of the proposed Rear Yard Egress Stair and Dumbwaiter addition.

(b) No office window shall be located within thirty feet (30 ft) directly in front of another office window, nor eighteen feet (18 ft) in front of a blank wall.:

There are no office windows located within thirty feet in front of the proposed addition. There are no office windows in front of any blank walls in this condition.

(c) In buildings that are not parallel to the adjacent buildings, the angle of sight lines and the distance of penetration of sight lines into habitable rooms shall be considered in determining distance windows and appropriate yards.:

This condition does not occur in this situation, the adjacent buildings are parallel to ours, and the existing buildings across the alley are perpendicular to ours.

(d) Provisions shall be included for service functions, including parking and loading access and adequate loading areas.:

There is no parking required, and loading occurs from the street on Georgia Avenue.

(e) Upon receiving an application to waive rear yard requirements in the subject zone, the Board of Zoning Adjustment shall submit the application to the Office of Planning for coordination, review, report, and impact assessment, along with reviews in writing from all relevant District of Columbia Departments and Agencies, and the local ANC 4D.

This Special Exception Application will be submitted to both the Office of Planning and ANC Commission 4D.

CONCLUSION

The proposed addition on the Property as viewed from the street, and other public way does not visually intrude on the character, scale and pattern of the neighborhood. The proposed addition is located in the rear of the property surrounded by structures that are similar to the addition proposed for our addition.

For the reasons stated above, the proposed addition satisfies the requirements for a Special Exception Approval. Accordingly, the Applicant respectfully requests that the Board approve the Special Exception application.