

# DAWN LEA PARTY IN OPPOSITION BZA APPLICATION NO. 20380

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JULY 14, 2021

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Presentation will address easement  
then structural limitation

### 3 EASEMENT SITUATION

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- 4459 MacArthur Boulevard NW (in common structure with 4457 MacArthur Boulevard NW)
- 4457 and 4459 MacArthur Boulevard NW are landlocked with no public street or alley access to rear parking
- 4465 MacArthur easement is the only ingress/egress to said properties

## 4 EASEMENT SITUATION

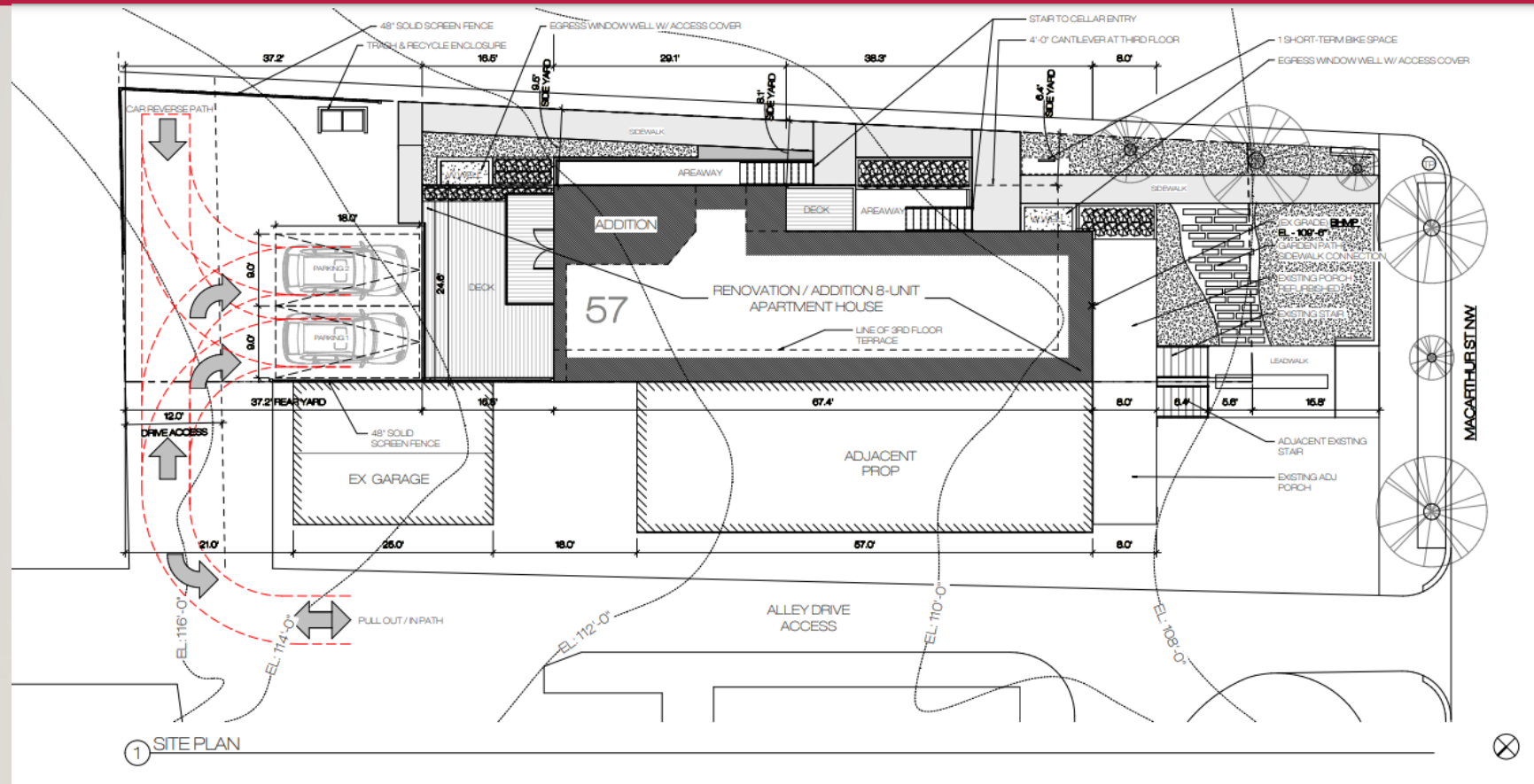
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- 4457 and 4459 Macarther have Reciprocal twelve (12 foot right-of-way over the rear of each property
- The asphalt behind 4459 has been and is currently damaged due to use by remodeling construction and multiple moving trucks associated with 4457. Already, these moving trucks damaged the asphalt of the easement belonging to 4465 due to their rear bumper dragging onto the drive while entering MacArthur Blvd NW after departing 4457.
- The garage belonging to 4459 is currently damaged due to construction at 4457.



# 5 TURNING RADIUS BEYOND LIMITED 12' RIGHT OF WAY AT REAR OF 4459 MACARTHUR

Drawing 2  
Site Plan

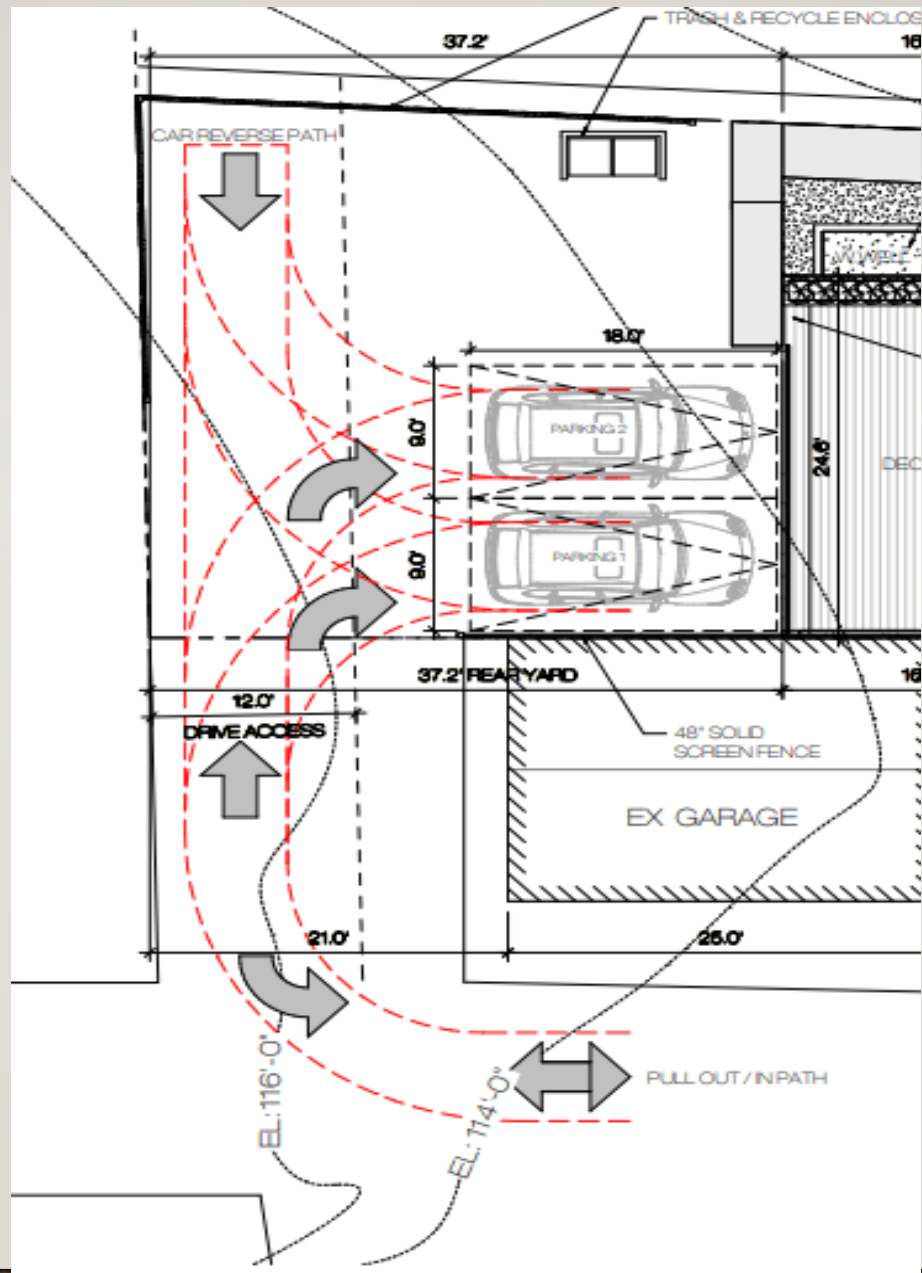


# 6

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- Video image captured July 11, 2021
  - Mr Young please bring up the 'enter' video
  - Mr. Young please bring up the 'exit' video

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## 8

# CONCERNS

- Given the age and unique unitary construction of the 4457 - 4459 structure, the proposed project will physically involve and impact the 4459 Property in ways that may cause a structural failure and collapse of 4459.
- The redevelopment and extreme expansion in occupancy load and density of the 4457 Property cannot be viewed in isolation from the 4459 Property.
- The stone foundation was constructed for a *single* building in a square configuration. Historically, there were interior doors connecting what is now the 4457 and 4459 MacArthur Boulevard, N.W. addresses. The properties constitute a single structure and remain inextricably linked together.



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# CONCERNS

- The common wall will be disturbed from the 4457 side of the structure and certain damages are to be predicted. *These requests during the initial BZA hearing from the 4459 owner have yet to be addressed.*
- The electrical wiring and plumbing for 4457 and 4459 run through the simple common wall between the properties and have joint connections with plumbing and air vents to the roof.
- Relocation of proposed 4457 development bathrooms away from the common wall of the 4459 Property were previously requested. **There are eight (8) bathrooms abutting the common wall.**





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*Common attic of 4457 – 4459*

*Arrow indicating the attic vent for 4457 when viewed through 4459 side of the attic.*



# CONCERNS



- There is a liveable finished basement at 4459 which has never been addressed in any renderings. The ‘basement’ begins beneath the front porch. This is of concern due to proposed ‘cellar’ units at 4457 and underpinnings for structure.
- The 4459 garage roof is overlapped by 8 inches from the garage at 4457.
- There is a 3 ft thick concrete area at the rear of the existing house at 4457, hence the ‘step up’ in the rear of the house. What protections are going to be made at 4459 to maintain integrity when demolishing said concrete.





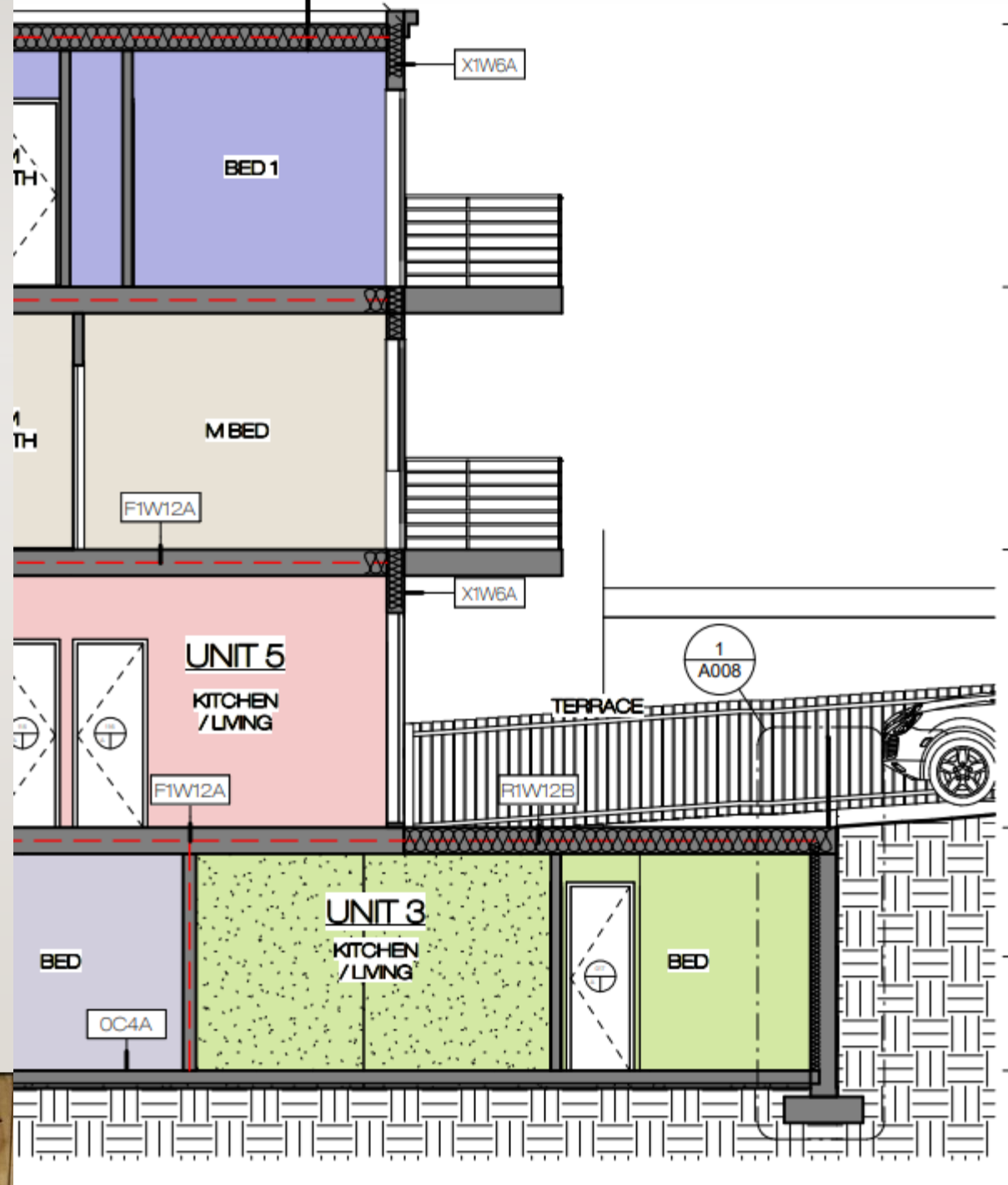
## 12

- The garage building at 4457 which is slated to be demolished will impact the garage on the 4459 Property; when the 4457 garage was constructed, prior owners of 4457 asked permission to tie into the garage roof at the 4459 Property by eight (8) inches. A request was made to address how the overlap will be mitigated by Polygon LLC and *this has NOT been addressed.*
- Owners at the 4459 Property respectfully request that previously identified issues (as cited in Exhibits 44, 45, 46) in addition to other issues not yet identified be addressed going forward as there are *no project management nor construction plans available for visualization by the owner of the 4459 Property.*



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*It appears the 'deck' is now placed at grade with a slope towards the structure (Longitudinal Section, Drawing 14)– at question is the downward slope and appears without a proper grade away from the property thus potentially impacting 4459 with water issues.*



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- As noted in 4459 owner's prior comments, a deck was identified at the rear of the 4457 building (Exhibit 33c page 2) and directly overlooked the patio at 4459 – the applicant was requested by BZA to address the issue of the deck.
- *There are NOW two balconies off the rear of the proposed development which double the lack of privacy for 4459.*



- Drawing from page 11 identified as “southwest (street elevation): Cantilevered third floor indicated in other drawings **is not evident on the street view.** Can you confirm that the **penthouse still exist in this drawing** from page 11 identified as “southwest (street elevation)?





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Front and rear perspectives from Drawing 1





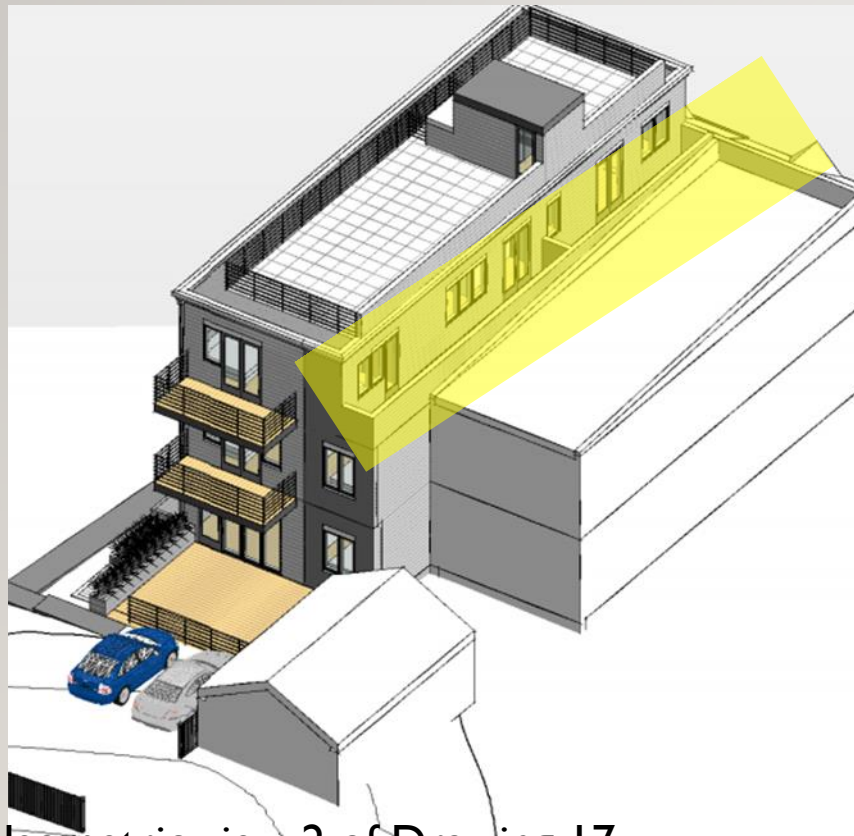
## 17 STRUCTURAL ISSUES – ENGINEER’S REPORT ON REVISED DRAWINGS

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1. Despite set back on the last floor, the Snowdrift issue is not eliminated. The parapet on the upper floor will still cause snow drift accumulation. This is obvious in Isometric view 2 of Drawing 17, Cross Section 3 on Drawing 14, and Cross Section 2 on Drawing 13.

The snowdrift horizontal length is 6.5 feet. Therefore, any obstacle placed within 6.5 feet of the property line will cause snowdrift accumulation.

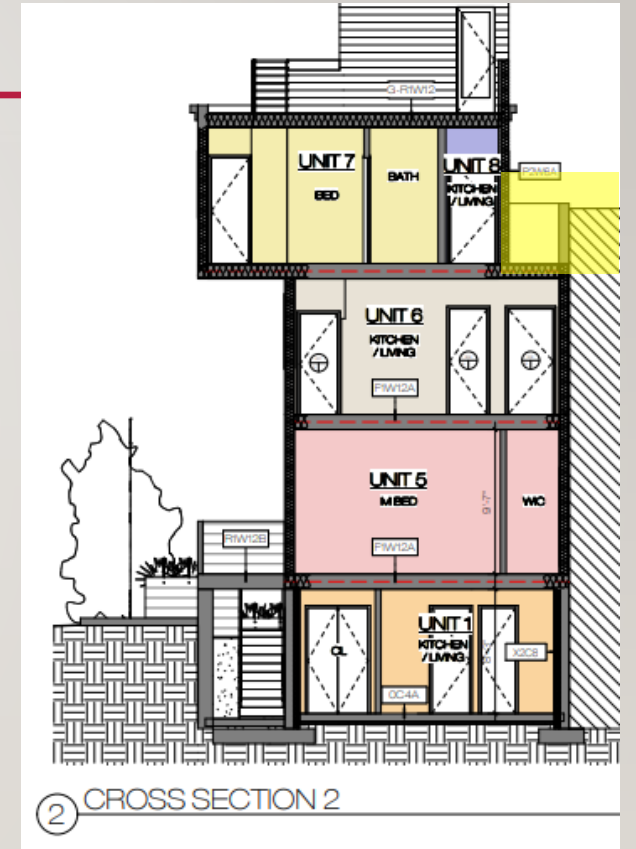
# 18 UNRESOLVED SNOWDRIFT ISSUES



Isometric view 2 of Drawing 17



Cross Section 3 on Drawing 14



Cross Section 2 on Drawing 13

# 19 UNRESOLVED SNOWDRIFT ISSUES

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Rear Parking Perspective, Drawing I



## 20 STRUCTURAL ISSUES – ENGINEER’S REPORT ON REVISED DRAWINGS

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2- The full set of plans are not submitted. The plans do not show the dimensions. The developer shall provide the full set for our review.

3- Per my observation in my site visit, the area at the rear of your property is missing studs and proper supports. Demolition of the neighbor’s property will seriously jeopardize the wall and expose your interior space to weather, frost, humidity, and heat.



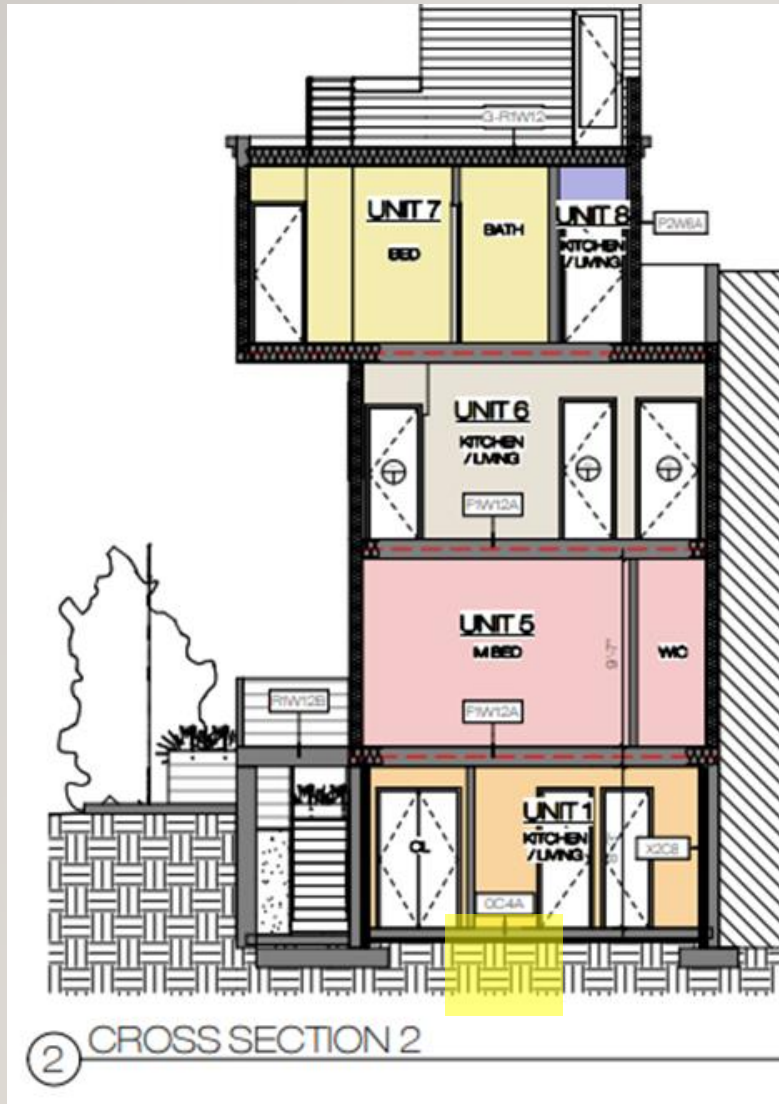


## 21 STRUCTURAL ISSUES – ENGINEER’S REPORT ON REVISED DRAWINGS

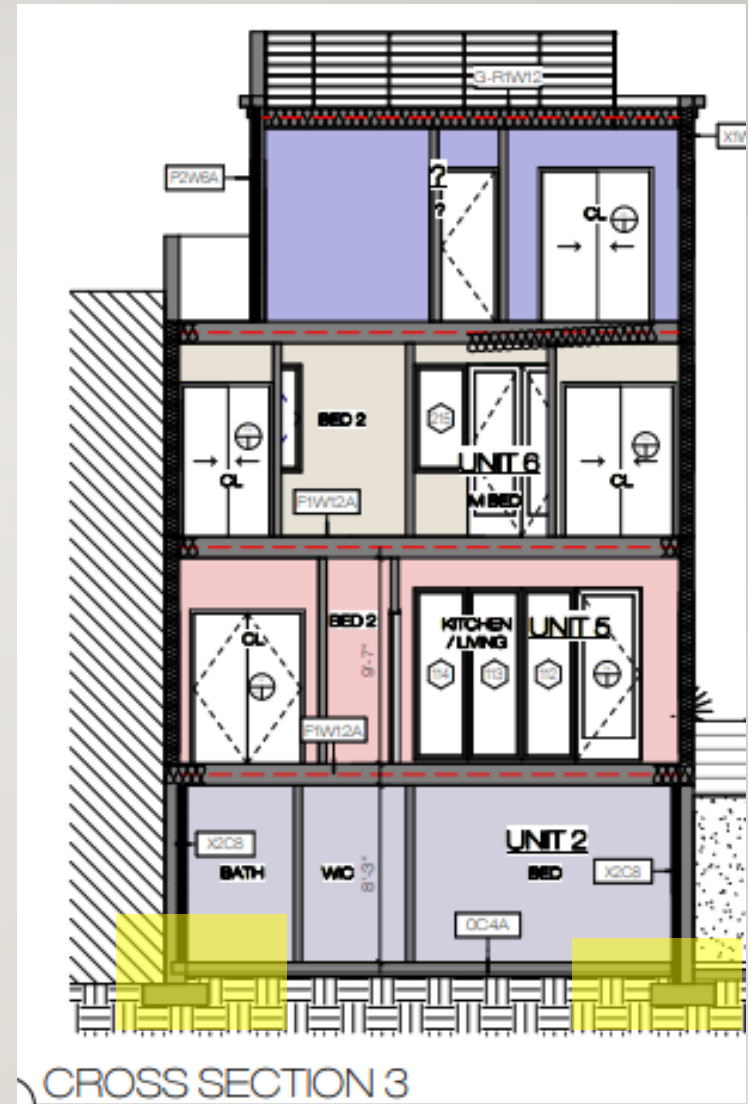
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4- It is not clear how the underpinning will be done in the basement. The plans shall show the extent and depth of underpinning. Cross Section 2 of Drawing I3 and Cross Section 3 of Drawing I4 show the new foundation encroaches into your property. The new foundation section and plan are required to show the new footing will not pass beyond the surface of the party wall.

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Cross Section 2 of Drawing 13



Cross Section 3 of Drawing 14

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*As the Board can determine, issues raised at the initial hearing, have not been addressed and in fact are magnified by the applicant with continued disregard of the safety and life residing at 4459 MacArthur Blvd NW, Washington, DC.*

*Please pay particular attention to each item raised by Dr. Aliabadi, the structural engineer.*

*Each item has multifactorial impacts and a request is made to address these issues item-by-item and post haste: each item is critical.*





*As an owner of 4459 Property, I respectfully bring attention to the recent 916 Kennedy St. NW, Washington DC building collapse and the impact on neighboring buildings. This may indeed happen again if the development at 4457 MacArthur Blvd NW is allowed to proceed given the current situation and lack of responsiveness to concerns raised on April 28, 2021; this furtherance in exhibiting 'disguised' cooperative behavior should be insulting to the Board.*

*This is an avoidable situation.*



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Thank you for your time and attention.

Dawn Lea PhD  
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