

July 12, 2024

Via IZIS

Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210S
Washington, DC 20001

Re: Letter from the Applicant - BZA Case No. 21098 – 633 Rear E Street, SE

Dear Chairperson Hill and Members of the Board:

At the hearing on July 3, 2024, the neighbor and the Board suggested that a solution to the obvious security issue of having windows directly on the alley could potentially be solved by releasable bars. The Applicant did not, at that time, have the opportunity to review the available options and provide a response to the Board. The Applicant is therefore requesting to reopen the record to submit this very limited information regarding its research into the releasable security bars.

Mr. Dowling conducted a search of the available safety bar release systems. They are poorly detailed with problematic through-wall components, made for light construction (wood frame, or masonry veneer on wood frame), not the thick masonry walls of the subject building, and require routine maintenance. There is also the possibility of window glazing being broken to access the release mechanisms that are located by necessity adjacent to the window.

Mr. Dowling reviewed the releasable bar options and found that they did not resolve the practical difficulties associated with locating bedroom egress windows on the first floor of the property, at eye level. The building code specifies that bars, screens, or grilles on egress openings (windows and doors) must be 'releasable without the use of a key, tool, specialized knowledge or a force greater than that required for normal operation' IRC§R310.4; this project is proposed to be a single-family home, likely occupied by children or potentially an elderly parent. While the building code does allow internal releasable security bars as an exception, it is ultimately up to the code official and inspector at DOB to approve such devices.

Mr. Schmidt, the owner and Applicant, is an experienced builder on Capitol Hill and in the District. Based on his experience, Code Officials typically err on the side of fire safety. It is likely

that DOB may not permit these devices during a final inspection, requiring removal and eliminating this ‘solution.’ The Applicant would be back at square one. Even if this is permitted by DOB, this ‘solution’ would require an additional barrier to exit in the event of a fire. Any additional barrier to escape in the event of a fire is undoubtedly unnecessarily burdensome.

This issue is unique to the subject Property. Adjacent properties, including the neighbors in opposition, do not have bars on the second-floor bedroom windows, and on the ground level, the fronting alley facades have either the openings bricked in or stuccoed over, a barred window too small for access, bars on the doors, or a metal fence between the yard and adjacent alley.

With exterior security bars window options would be limited to a double hung configuration increasing the opening size requirements. The issues with increasing the opening sizes have been discussed in detail at the hearing. Accordingly, exterior bars would not be feasible for bedroom egress. Having only exposed windows facing an alley at eye level could potentially invite break-ins, as the subject property would appear to be without security measures, and its warehouse appearance as a warehouse exacerbates this unique issue.

Respectfully Submitted,

Alexandra Wilson

Alexandra Wilson
Sullivan & Barros, LLP

CERTIFICATE OF SERVICE

I hereby certify that on July 12, 2024, an electronic copy of this submission was served to the following:

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Respectfully Submitted,

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