

Burden of Proof

Special Exception Application

1107 Penn Street NE

To: The Office of Zoning
Government of the District of Columbia
Suite 210 South
441 Fourth Street, NW
Washington, DC 20001

From: James Walker
1209 Crittenden Street NW
Washington, DC 20011

Date: October 5, 2015

Re: BZA Application for a rear egress stairs at 1107 Penn Street NE

James Walker, owner of 1107 Penn Street NE hereby applies for a variance to build a second floor egress stair on the rear of his existing semi-detached dwelling. The aspects of the proposed project that fall outside the current zoning regulation are as follows:

The proposed lot coverage is 1,570 sq ft, which is within the 60% maximum allowed lot occupancy for a semi-detached dwelling in the R-4 zoning district (11 DCMR 403.2). In addition, the existing back portion of the building currently extends into the rear yard setback by 5'-0" and the proposed rear landing and stair would extend into the minimum rear yard setback by an additional 8'-5", reducing the rear yard to 6'-7". The exiting stair extends into the rear yard to approximately 2'-0" from the rear property line. The proposed stair and landing will reduce the encroachment on the rear yard setback.

I. Summary

A. This letter is to request and substantiate the grant of a Variance for a second story rear egress stair and landing at 1107 Penn Street NE.

II. Bases for Grant of Special Exception

The existing second floor rear stair encroaches further into the rear yard setback than the proposed design by approximately 4'-0". In addition, the existing stair, as was the case for the previous layout of the interior apartments, is not code compliant, neither in clear path and width.

Trash pick-up is in the ally in the rear of the building. To have the Tenants carry the trash through the front entrance and around the building, provide several safety hazards.

(a) Code Compliance

The existing apartments had no egress from the sleeping units within the dwellings. The width of the shared existing stair landing was less than 32" clear. This could result in a bottleneck during an emergency situation where Tenants were forced to exit the rear of the building. The new layout of the second story apartments includes compliant egress from the sleeping areas to the exterior of the building directly. Because of the size and structure of the building the egress doors have been placed in the current locations. The current locations also allow for a single

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landing at the rear for both apartments that when divided equally between both Tenants would be compliant for a single family-occupancy each. The proposed stair provides a code compliant second means of for Tenants of the second story apartments. The proposed structure encroaches less than the existing structure currently does.

(b) Safety Hazard #1; Inclement weather

The alley has a slight slope in two directions, and during the winter months this surface can be icy and create a slipping hazard for perspective Tenants, especially elderly and the physically challenged. The proposed stair can be maintained by Owner to be cleared of any ice and/or snow during the winter months reducing the slipping hazard for Tenants.

(c) Safety Hazard #2; Crime

There have been thirty-three violent crimes reported within 1,000ft of the property over the last twelve months. Having the Tenants use this alley as access to the alley increase the possibility of having a Tenant being assaulted. The egress stair will be within an enclosed rear yard with artificial lighting. The trash receptacles would be kept within the yard until the time for pick-up. This again would reduce the possibility of assault to the perspective Tenants.

In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.

Along with this application, we have included the following items:

1. Photographs of the existing house and surroundings;
2. Signatures for neighbors in support of the rear stairs;
3. Plans and elevations of the proposed stairs, including a site plan showing the relationship of the proposed deck to adjacent properties.
4. Official Plat from the DC Office of the Surveyor.

If any further clarifications are required or if there are any questions in regard to this application please feel free to contact Andre Burwell (authorized agents).

Thank you,

James Walker
Owner / Applicant
2456 Skyland Pl SE
Washington, DC 20020-3413

