

BZA Application No. 21263

Susan M. Tamborini, Trustee
4632 Charleston Terrace, NW
April 2, 2025

Applicant:

Susan Tamborini

Zoning Attorney

Sullivan & Barros, LLP
Martin Sullivan

Project Zoning Request

Anthony DeRo

CASE NO. 21263

EXHIBIT NO. 34

Overview and Requested Relief

- The Applicant is proposing to replace the existing deck with a covered deck.
- Per the Zoning Administrator, the new deck is considered an accessory structure because it is covered and not meaningfully connected to the Principal Building.
- The covered Deck is within the Required Rear Yard, necessitating special exception relief from D-5004.1(a).
- Once covered, the deck will count towards lot occupancy, which is limited to 40% in this zone, or 50% via special exception. The Deck brings the total lot occupancy to 49.3%, requiring special exception relief from lot occupancy under D-210.1.
- The Deck is also subject to the accessory structure maximum building area requirements of D-5003.1, which limits accessory structures to 450 square feet. The covered portion of the Deck will 652 square feet, requiring relief from this section.
- All three areas of relief can be approved via special exception subject to the requirements of D5201.

Community & Agency Support

- The Office of Planning recommends approval, with the suggestion that the Applicant consider screening in response to the Party Opponent's concerns.
- ANC 3D has taken no formal position due to a 50/50 vote, but has submitted a letter explaining the position of each of the two sides.
- There are 2 letters of support from surrounding neighbors including the adjacent neighbor to the east.

General Special Exception Criteria

Pursuant to Subtitle X-901.2 of the Zoning Regulations, the Board is authorized to grant special exception relief where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property.

The Property will remain a detached single-family dwelling and the proposal is not increasing the size of the existing Principal Building. Accordingly, there will be ample open space still available on the lot even with the proposed Project, meeting the general purpose and intent of the Zoning Regulations and Zoning Maps.

| Specific Criteria of D-5201 | Proposed |
|---|---|
| <p>5201.4: An application for special exception relief under this section shall demonstrate that the proposed addition, new principal building, or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, specifically: (a) The light and air available to neighboring properties shall not be unduly affected; And</p> | <p>The deck is open on all sides and the shadow study shows no undue impact on neighbors' light and air.</p> |
| <p>(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;</p> | <p>There are three windows facing north from the condo building to the south. Two of those windows are below the floor level of the deck. The only window above the floor level is a small window adjacent to the neighboring property to the west.</p> |
| <p>(c) The proposed addition or accessory structure, together with the original building, or the new principal building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the street or alley frontage;</p> | <p>The addition is not visible from any public way.</p> |

Subj. Property
4632 Charleston Ter., NW



0054

RA-1

Sq. 1368

Sq. 1365

R-1B

MacArthur Blvd NW

Charleston Ter NW

Charleston

Sq. 1367



Subj. Property
4632 Charleston Ter., NW



Subject Property



Subject Property



Subject Property



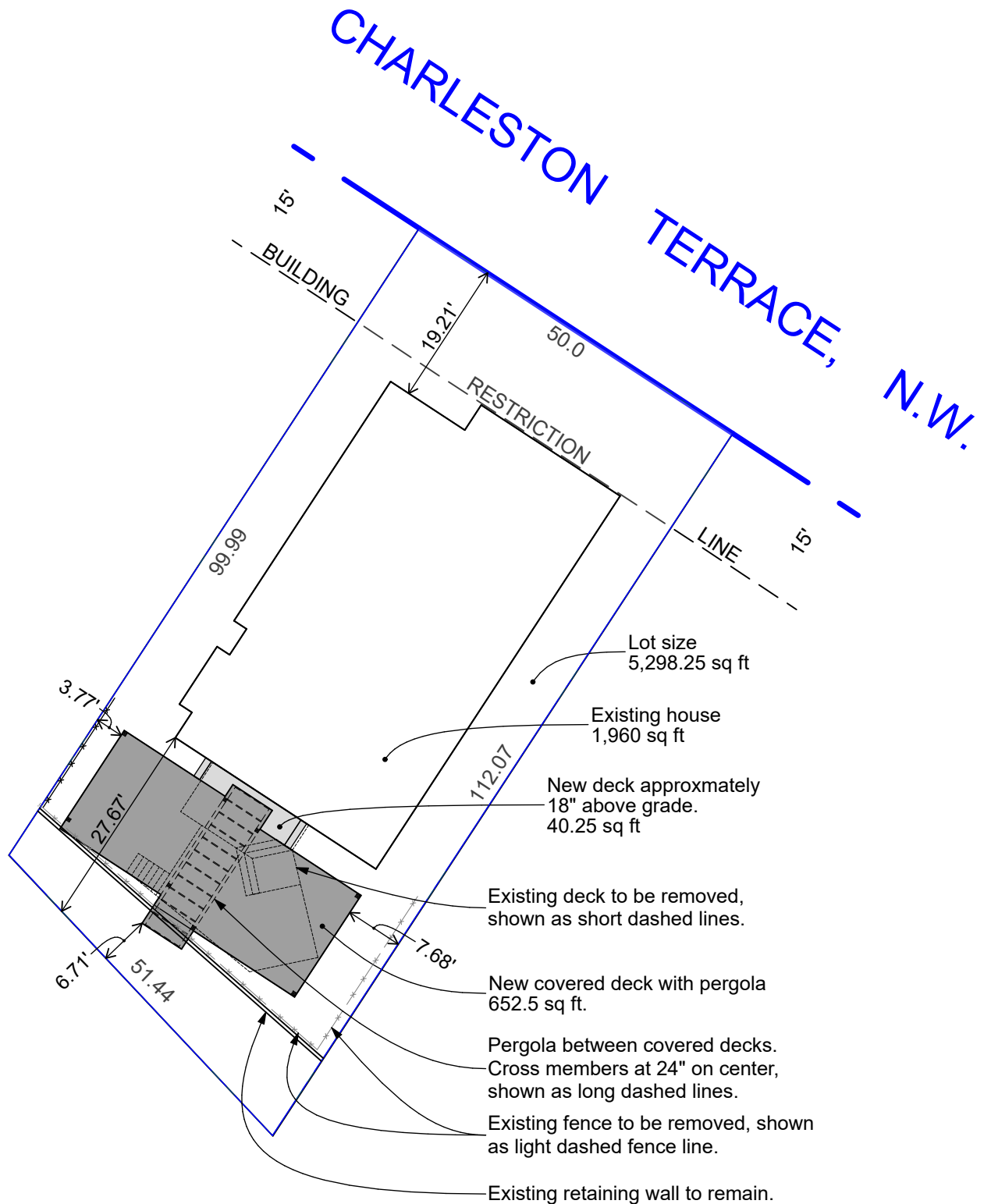
Subject Property

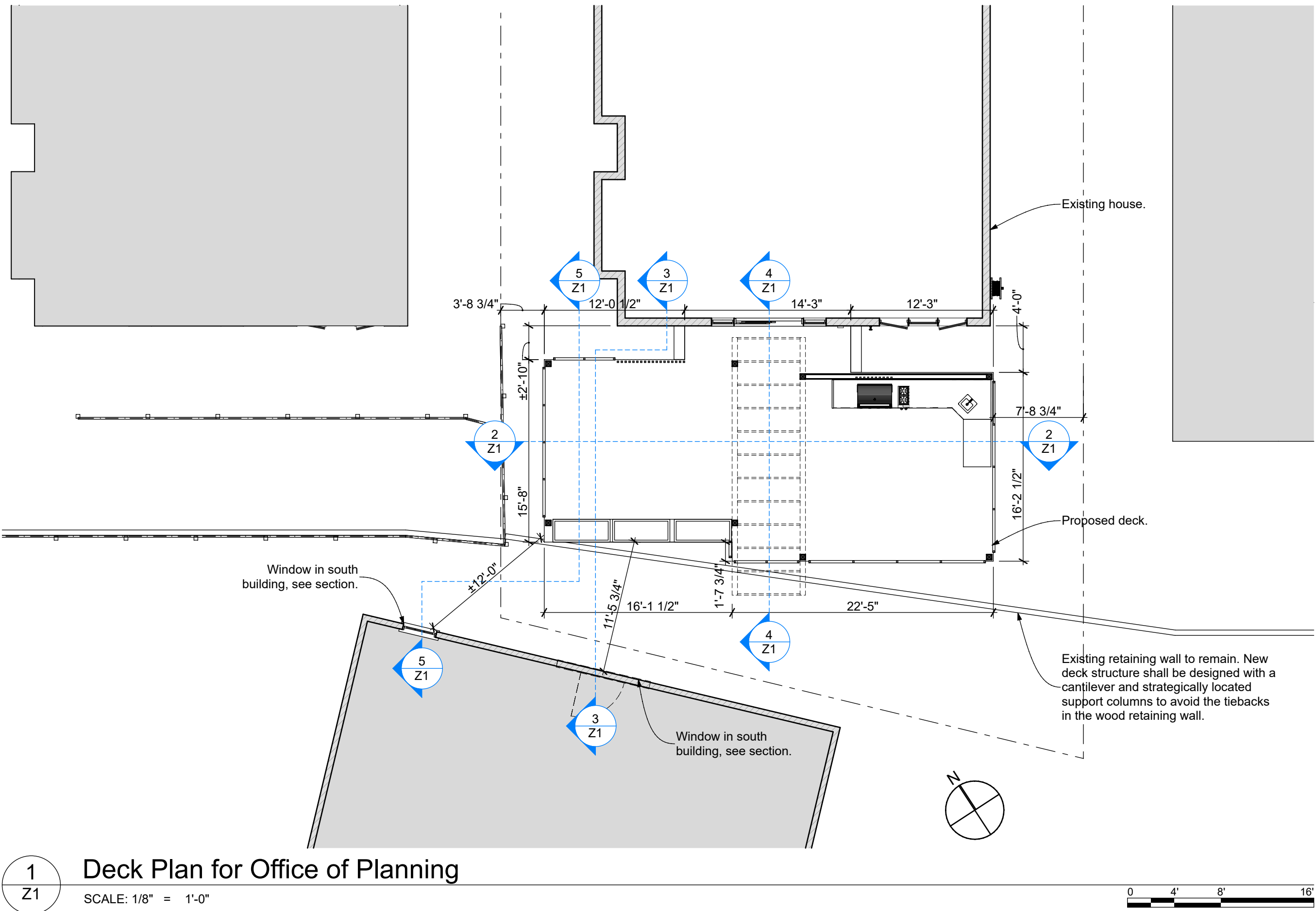


Subject Property

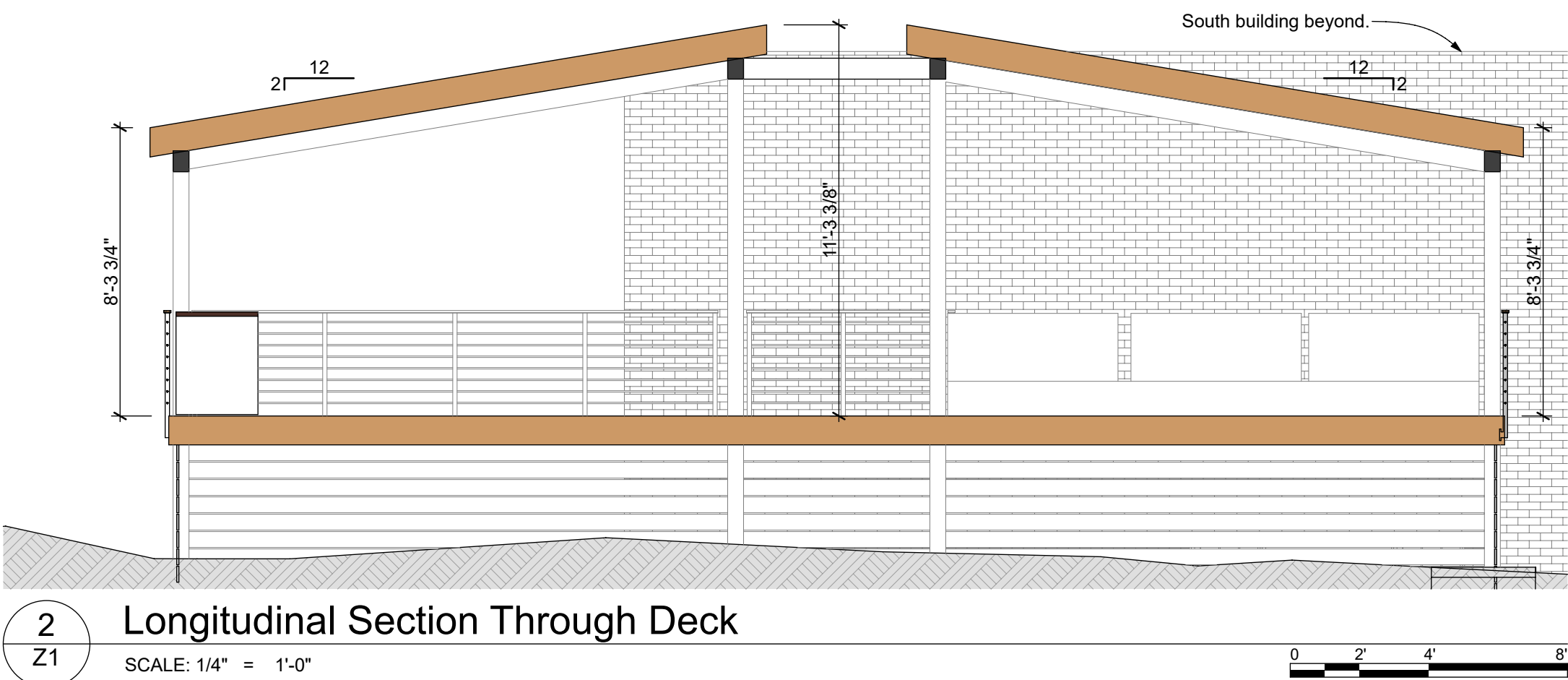


SQUARE 1368





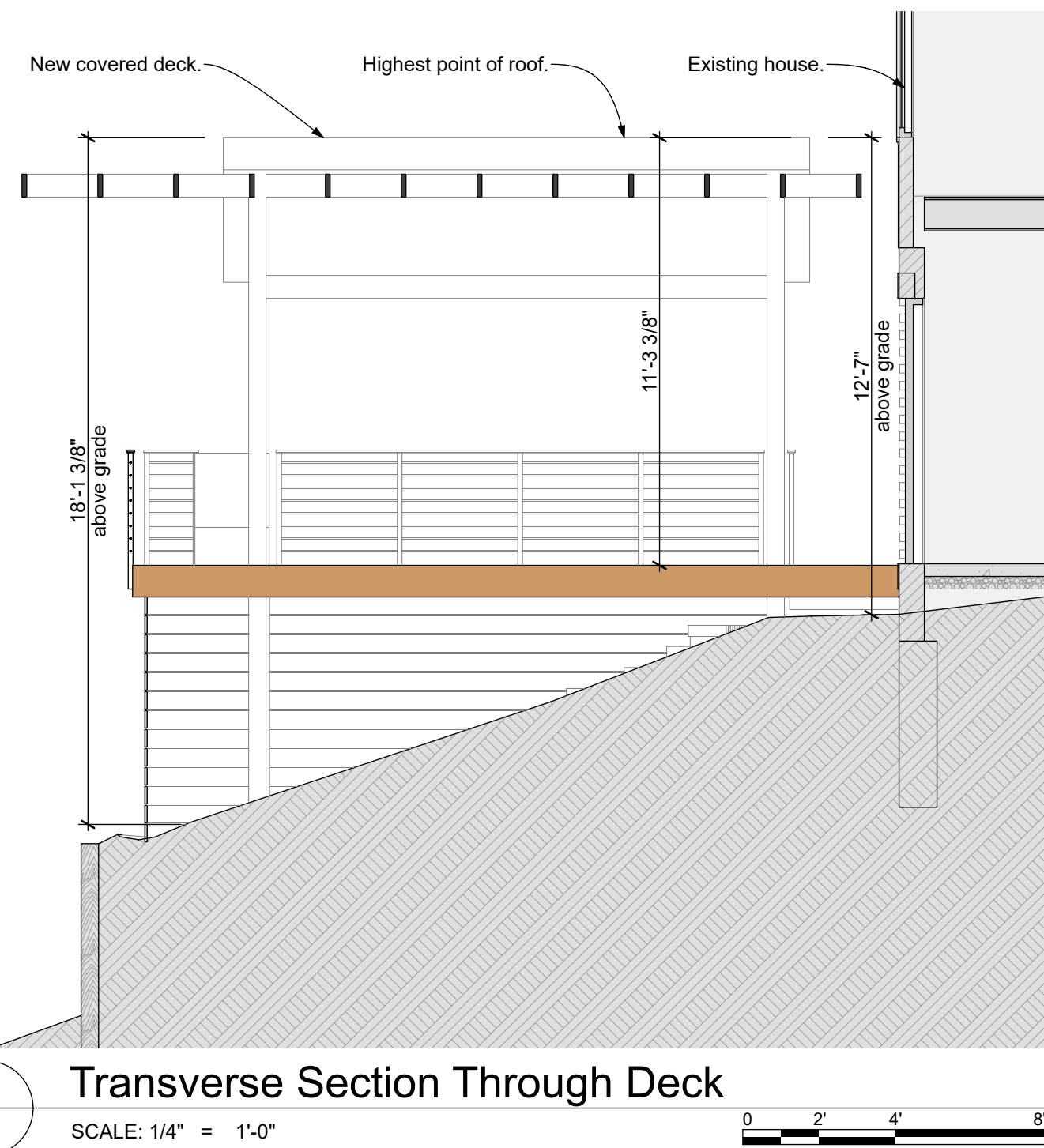
1
Z1
Deck Plan for Office of Planning
SCALE: 1/8" = 1'-0"



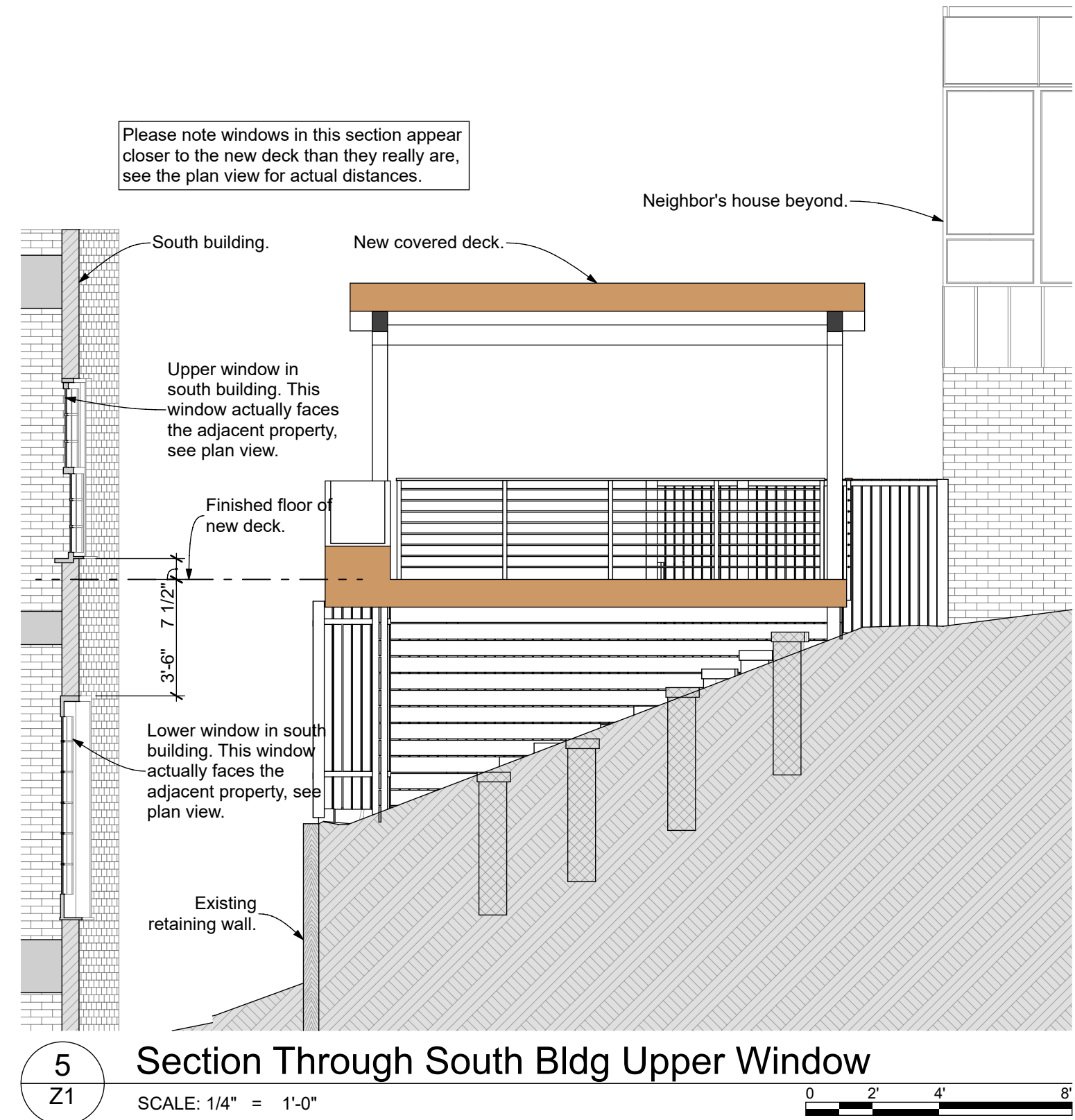
2
Z1
Longitudinal Section Through Deck
SCALE: 1/4" = 1'-0"



3
Z1
Section Through South Bldg Lower Window
SCALE: 1/4" = 1'-0"



4
Z1
Transverse Section Through Deck
SCALE: 1/4" = 1'-0"



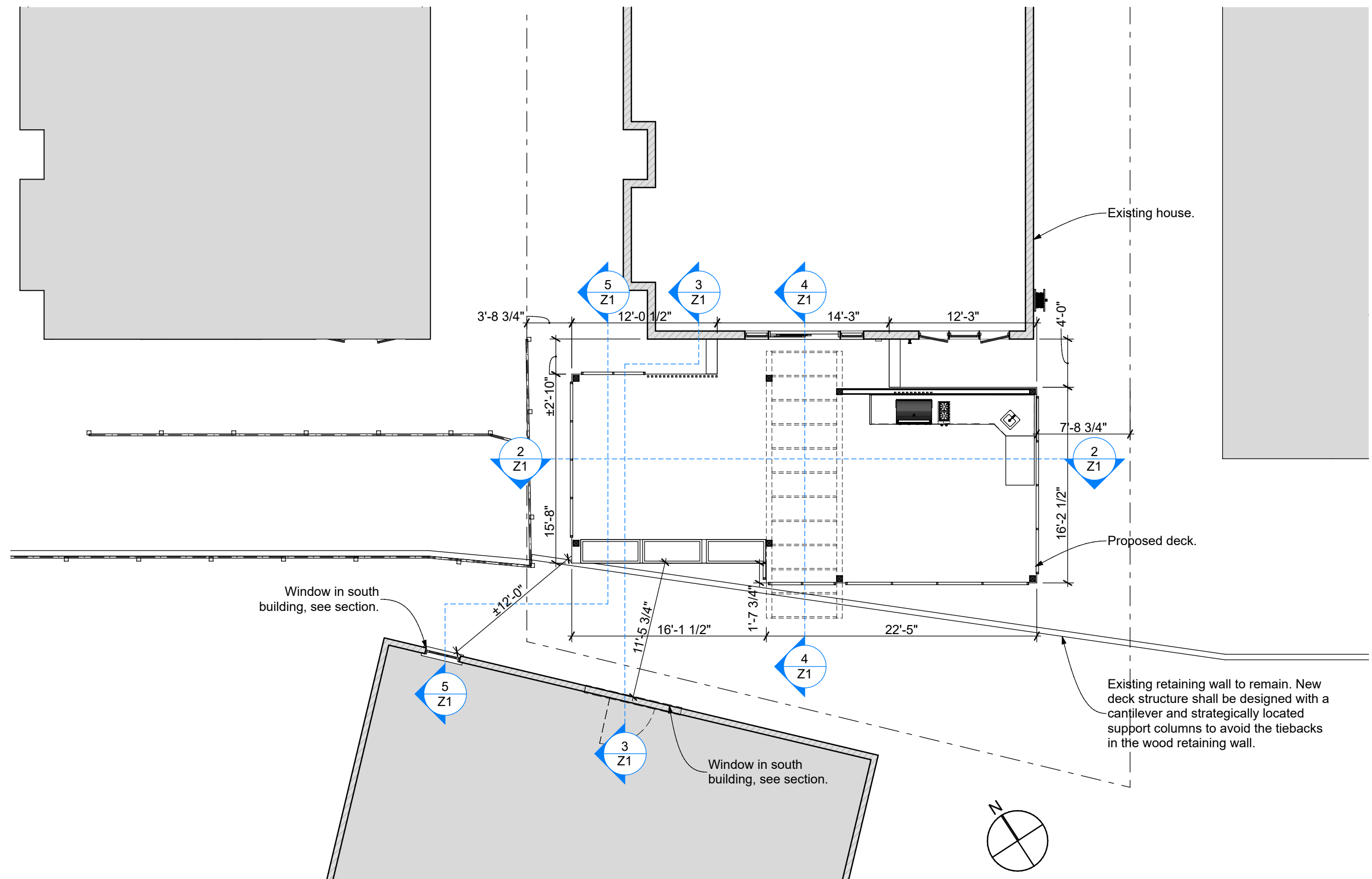
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Z1
Section Through South Bldg Upper Window
SCALE: 1/4" = 1'-0"



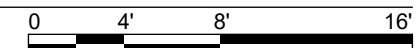
South Building

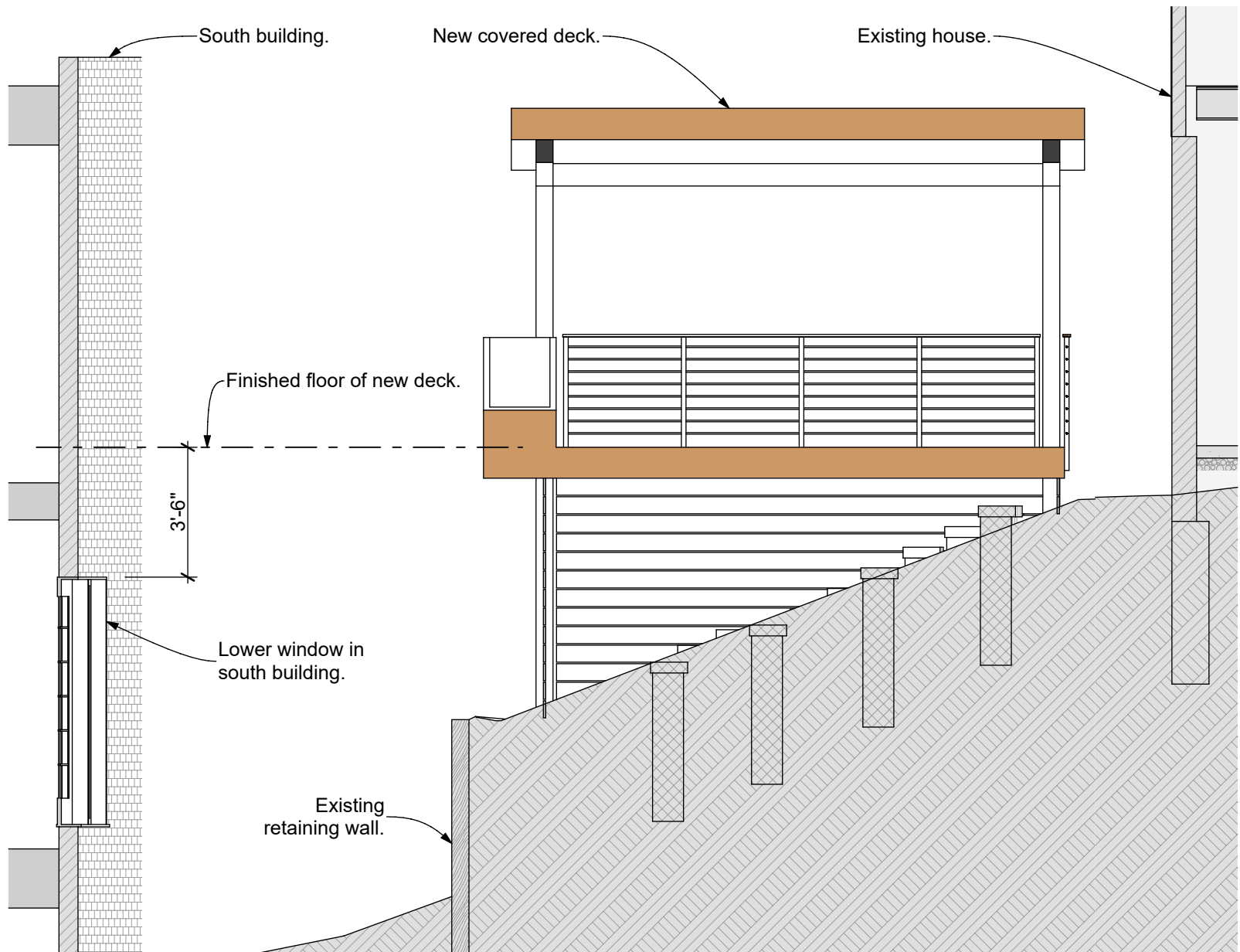


Bird's Eye



Deck Plan for Office of Planning



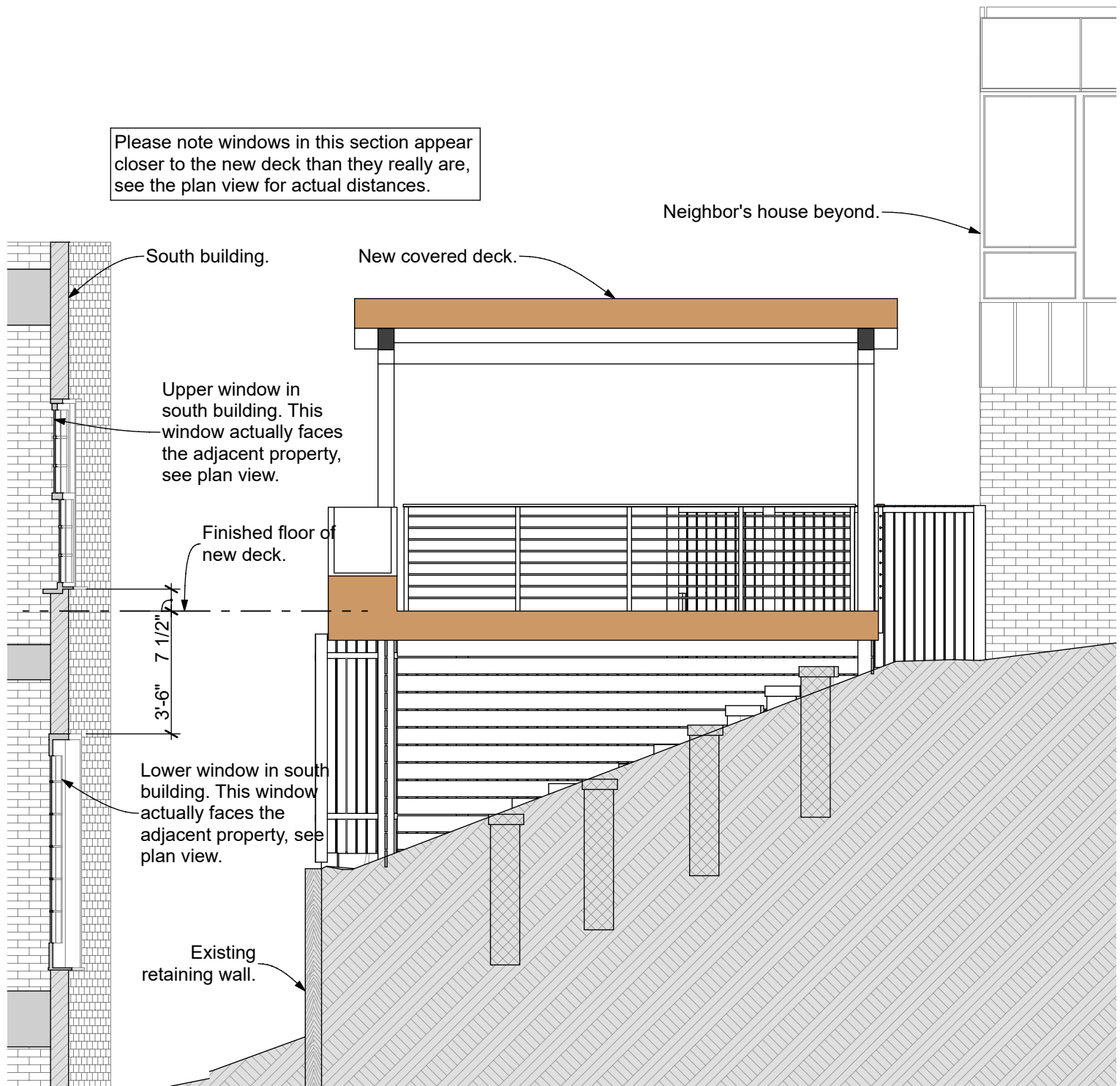


3
Z1

Section Through South Bldg Lower Window

SCALE: 1/4" = 1'-0"

0 2' 4' 8'

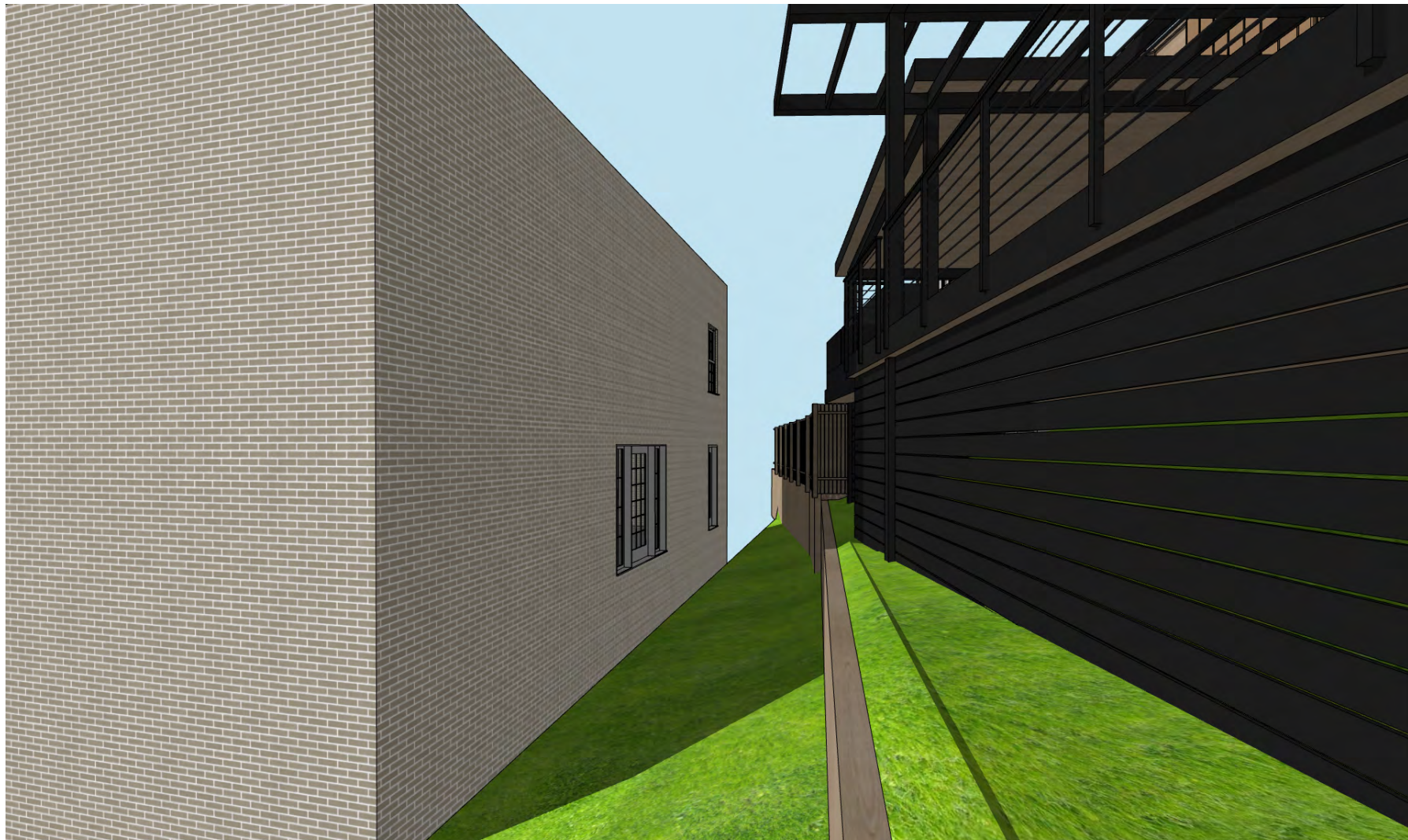


5
Z1

Section Through South Bldg Upper Window

SCALE: 1/4" = 1'-0"

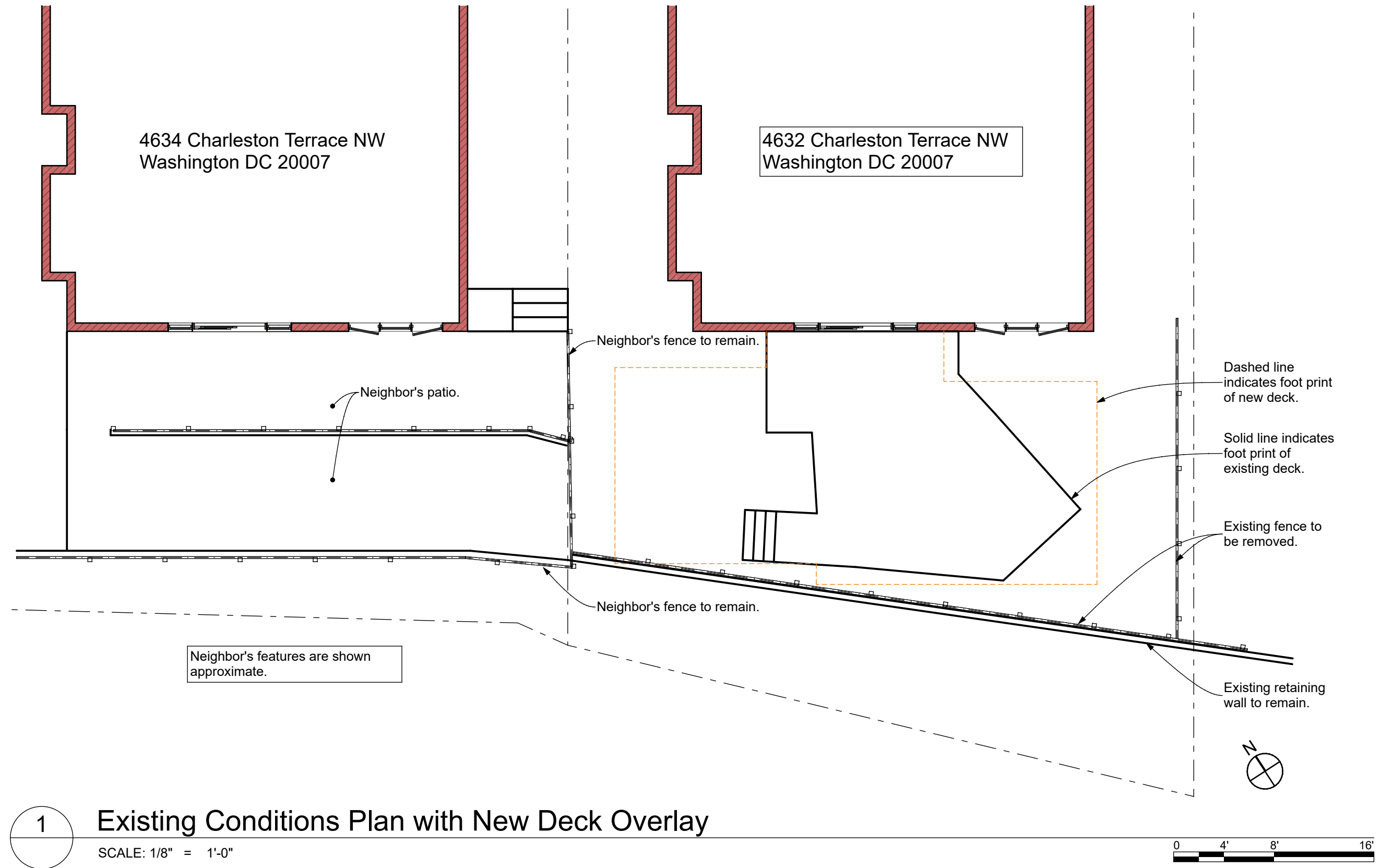
0 2' 4' 8'




South Building



Bird's Eye

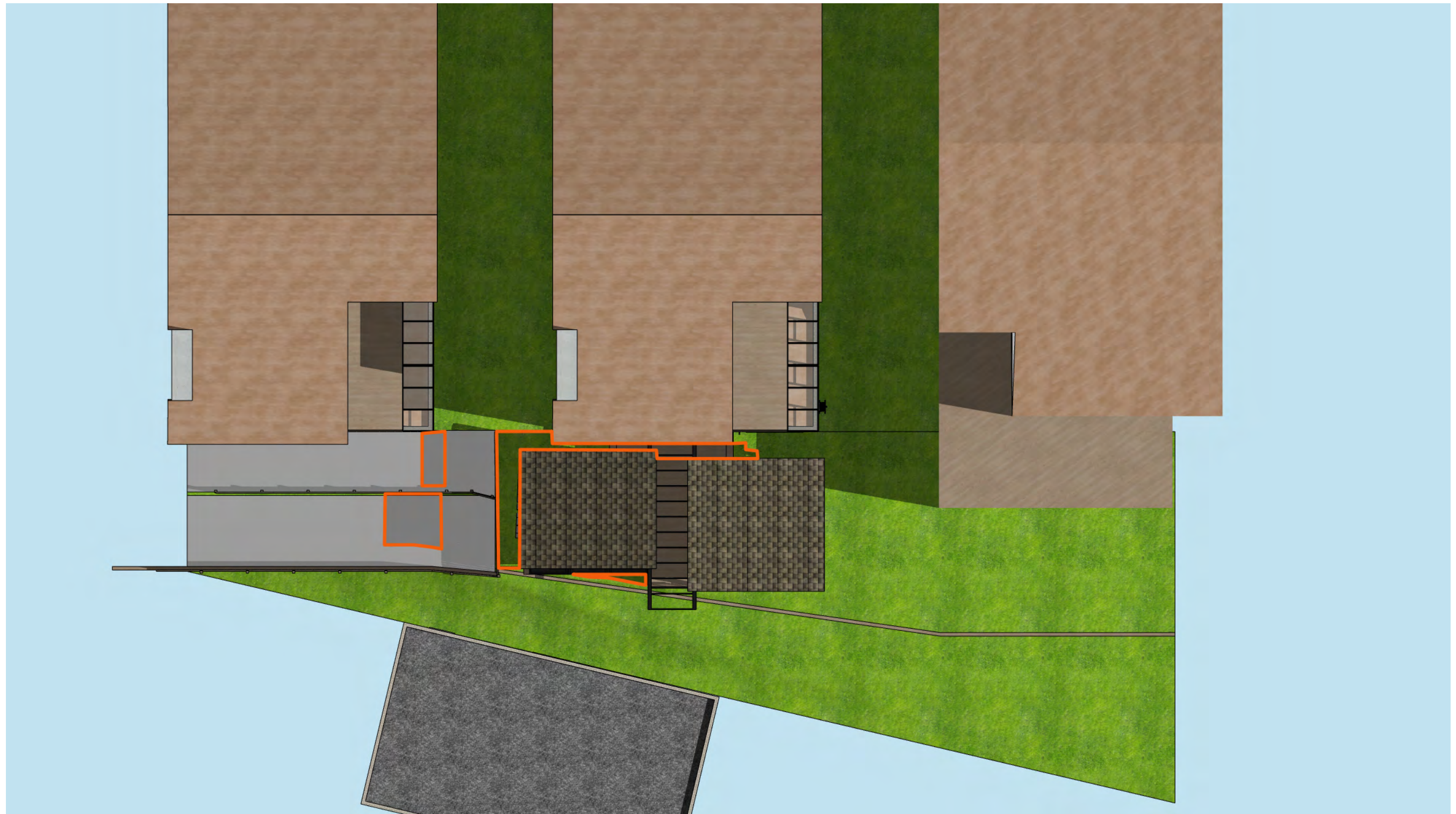


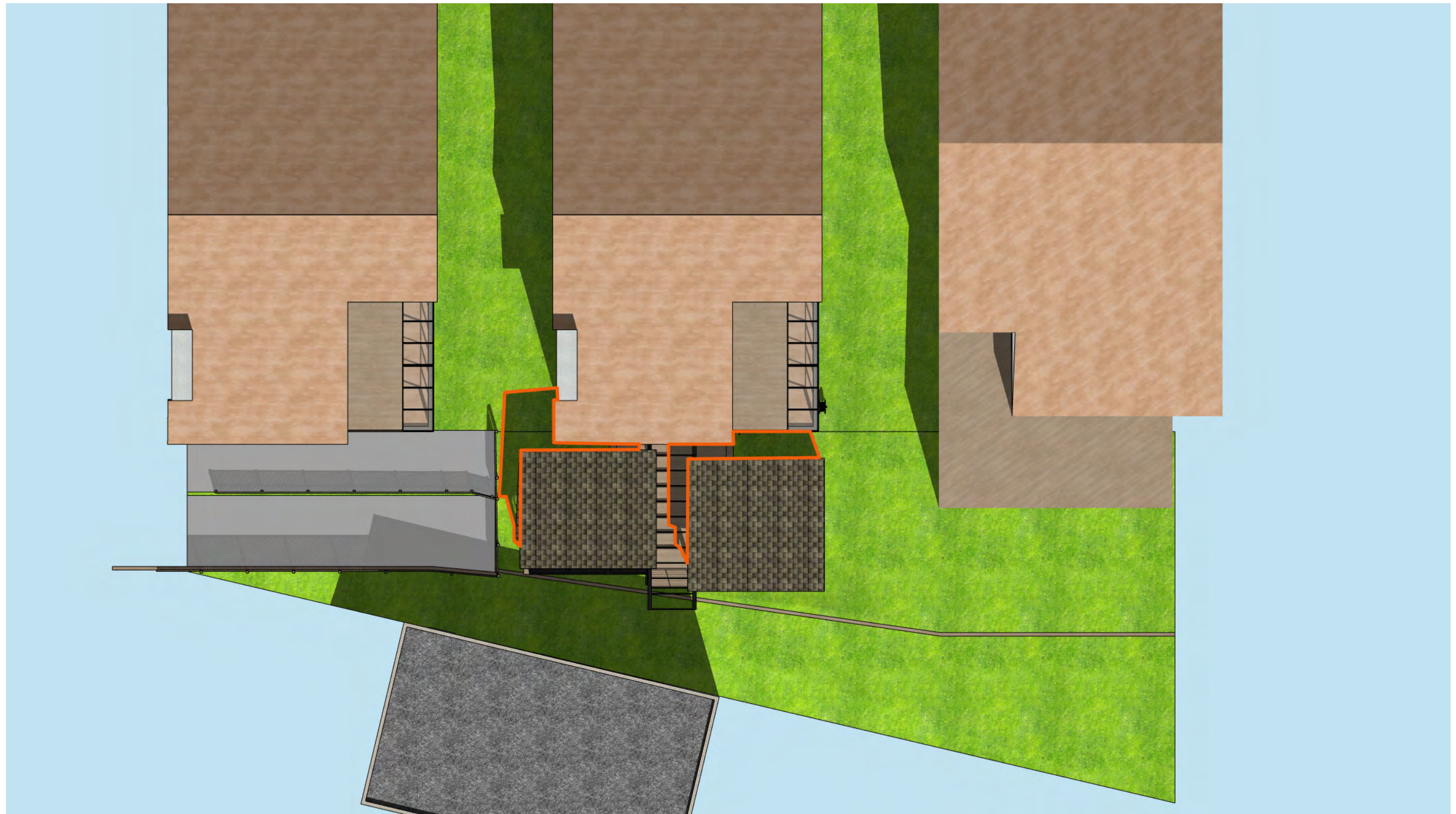
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|  <div>9032 Dunloggin Rd Ellicott City, MD 21042 443-760-8226 www.aperturearchitecture.com</div> <div>Aperture Architecture</div> | <div>Tamborini Deck</div> <div>4632Charleston Terrace NW Washington, DC 20007</div> | <div>Drawings and Specifications as instruments of service are and shall remain the property of the Architect. They are not to be used on extensions of the project, or other projects, except by agreement in writing and appropriate compensation to the Architect. The General Contractor is responsible for confirming and correlating dimensions at the job site. The Architect will not be responsible for construction means, methods, techniques, sequences, or procedures, or for safety precautions and programs in connection with the project. © 2025 Aperture Architecture</div> | Existing Conditions Plan | |
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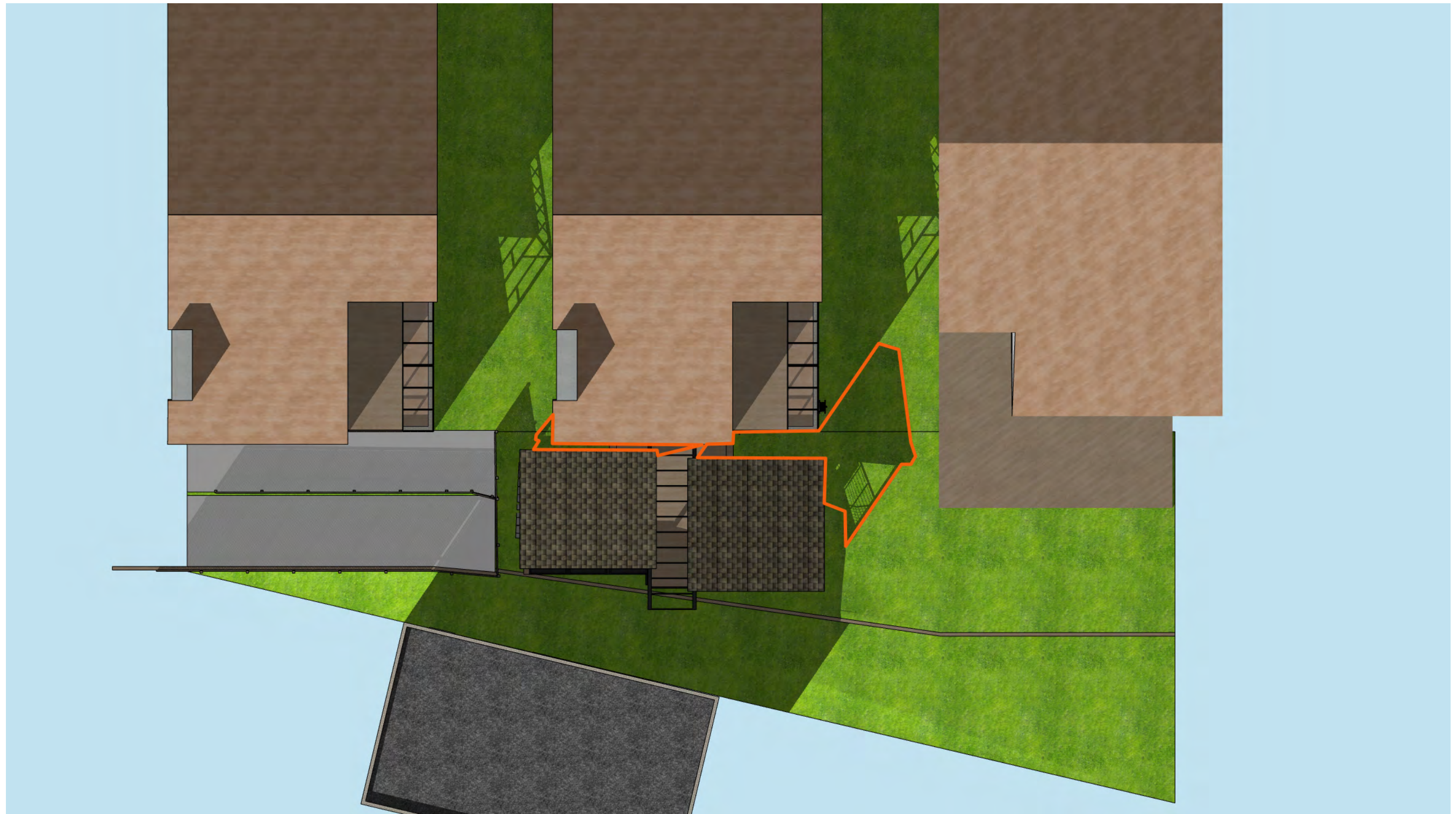




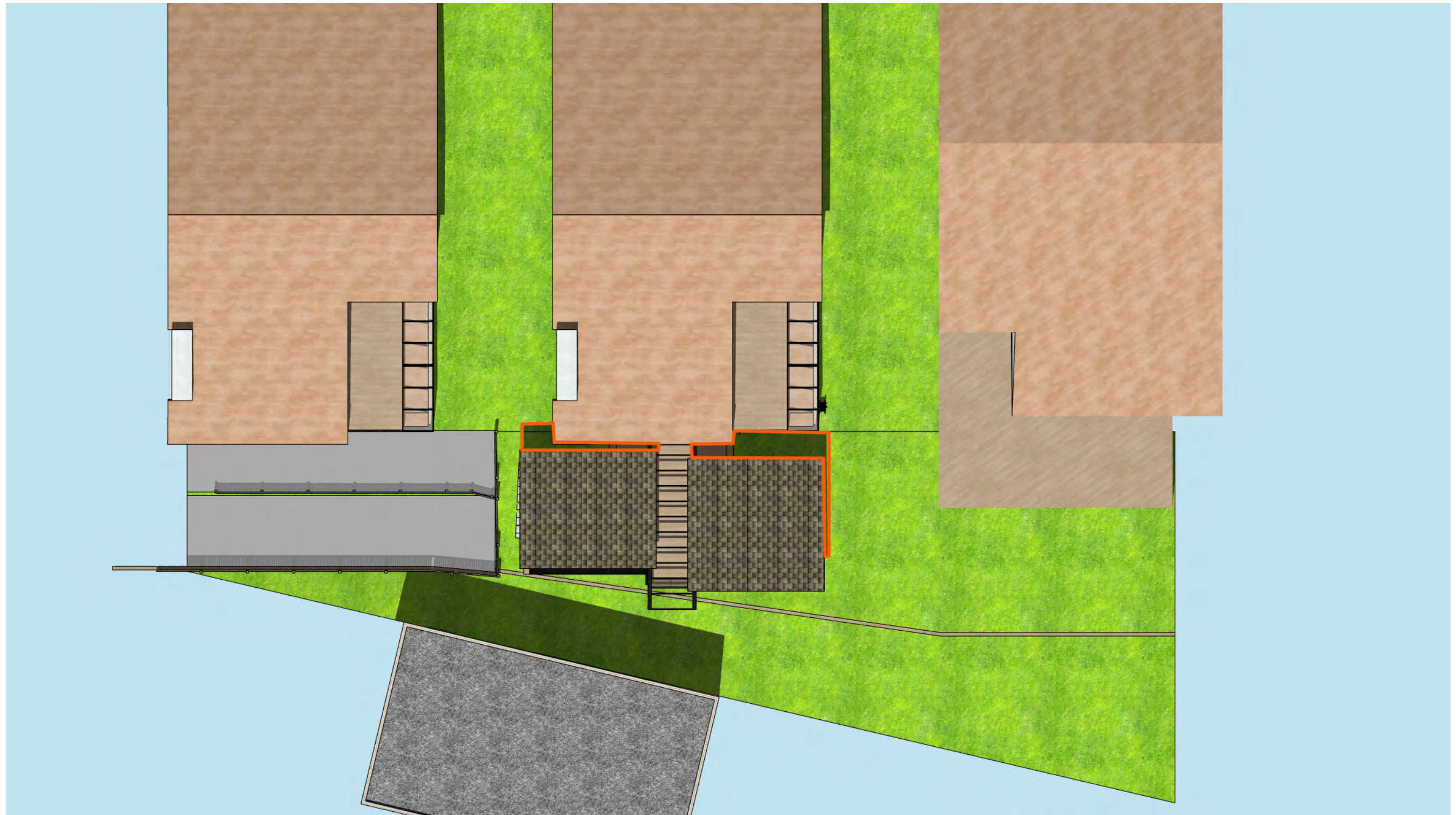


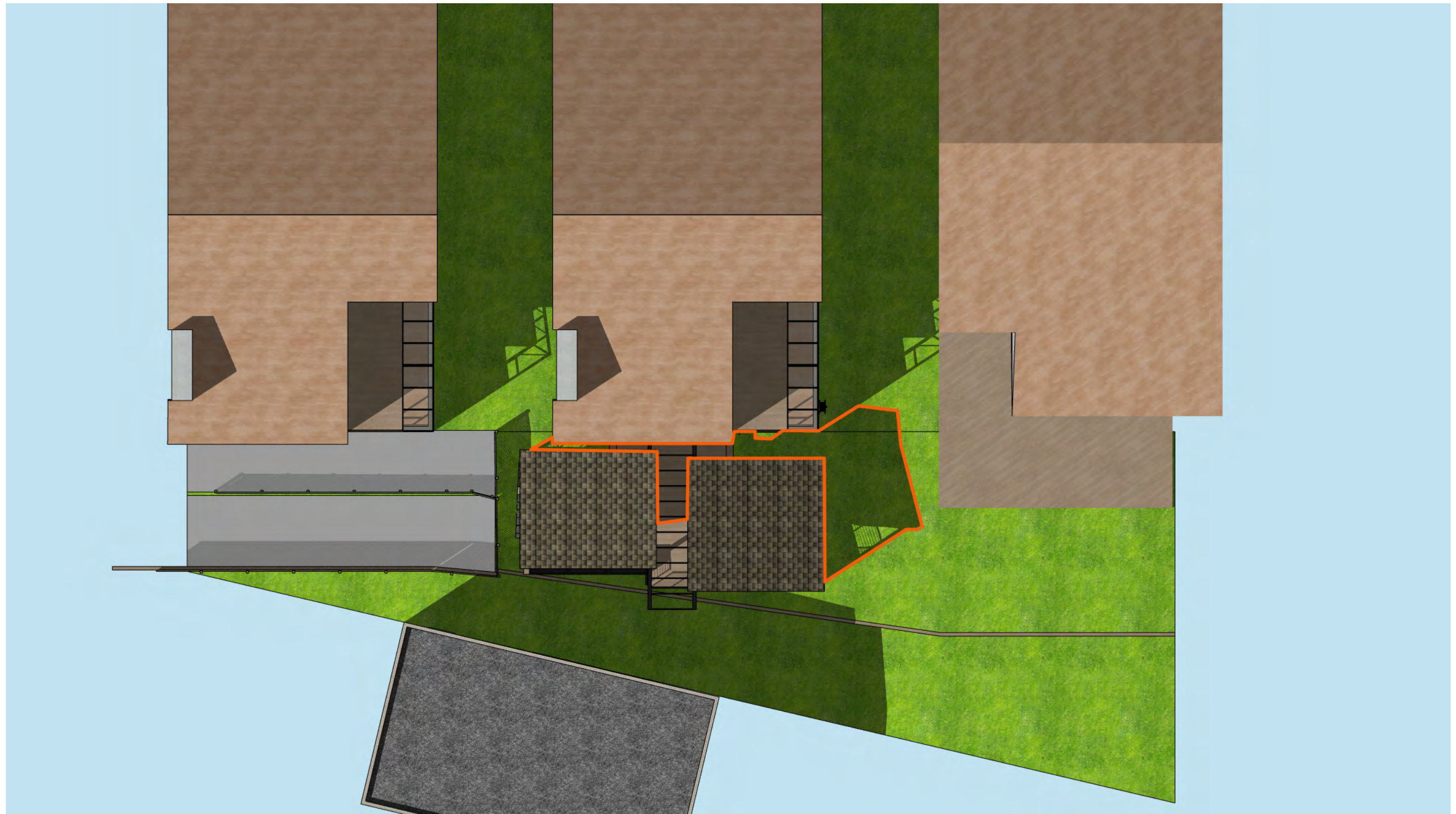


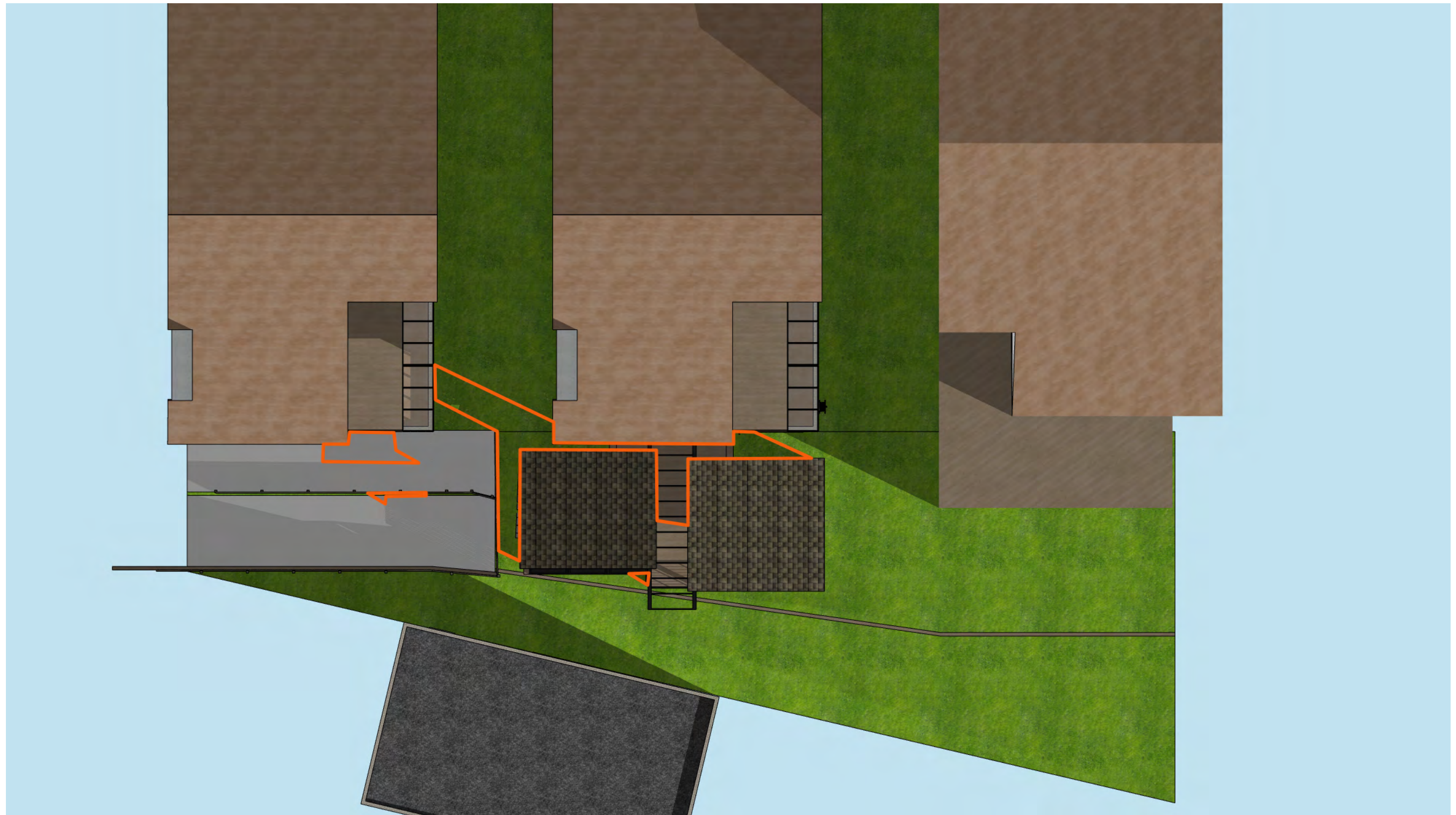


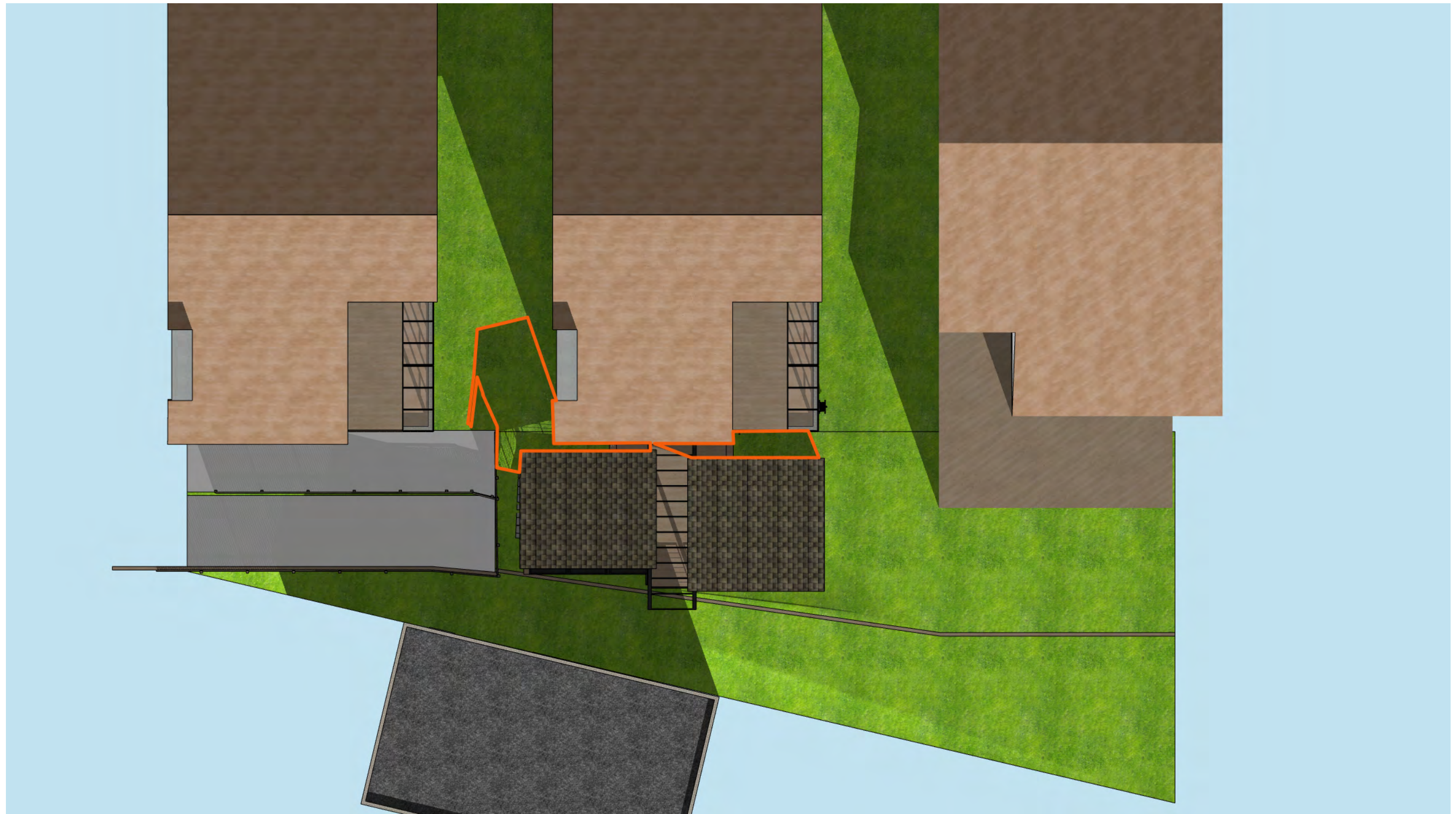


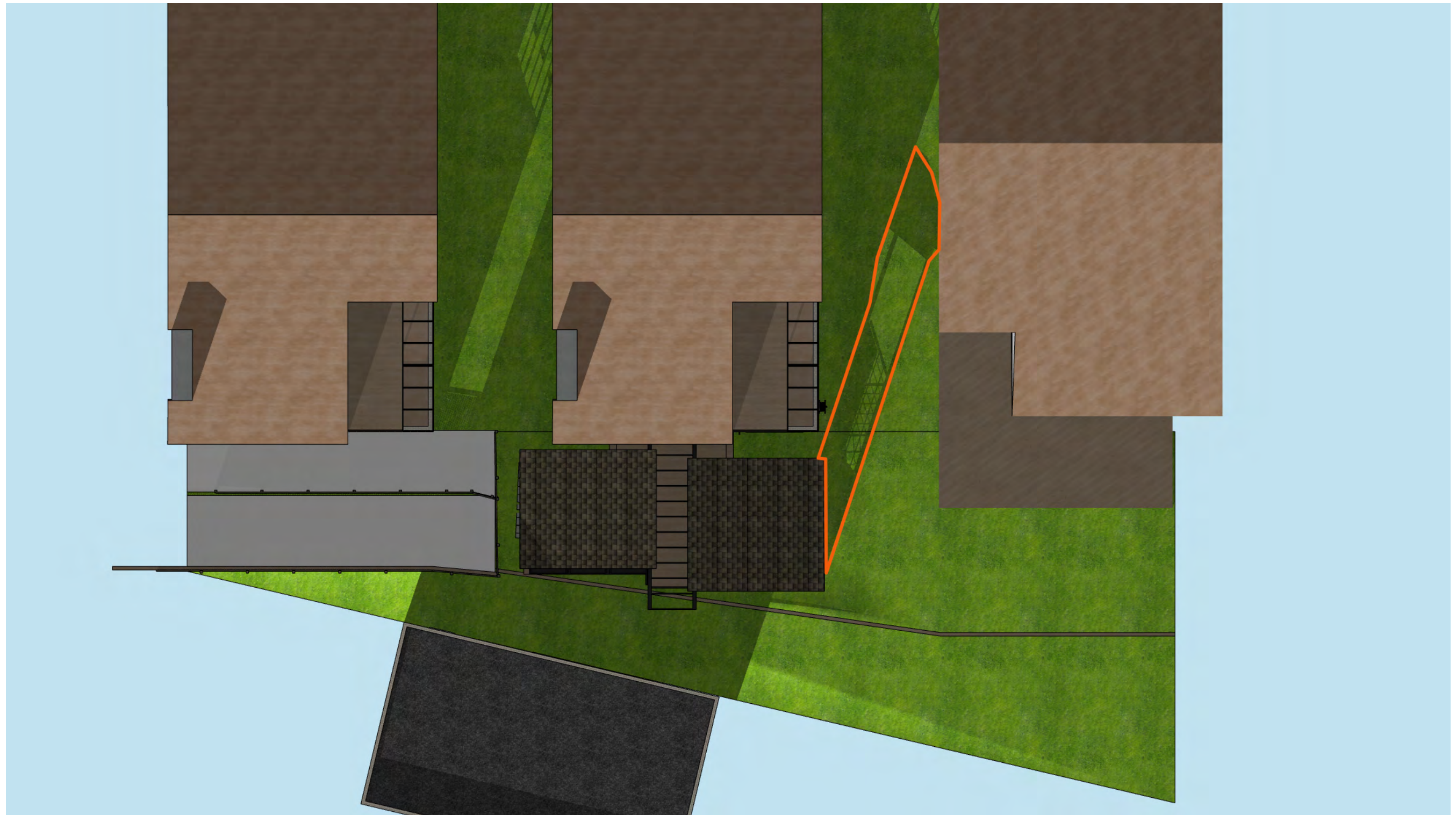












Rebuttal Evidence

The Office of Planning has suggested that the Applicant discuss potential screening with the party opponent as a means of mitigating privacy concerns.

To that end, the Applicant has recently submitted two photos of rebuttal evidence regarding the privacy concern, and a rendering proposing to include screening on the west side of the deck.







