

October 30th, 2018

To:

DC Office of Planning

Board of Zoning Adjustment

Variance and Special Exemption - request

Burden of Proof -1519 4th st NW

Owner Background:

Nation's Mosque community has been in the neighborhood starting as early as 1920's and constitutes one of the earliest indigenous Muslim communities in US. In 1959, the current mosque was built at 1519 4th St. and has been in use continuously since then. Although not designated as a historic building, the existing building carries a common memory of the community including some of the forerunners of civil rights movement such as Malcolm X and Muhammad Ali. The community is strongly integrated with broader DC life and undertakes a major civic duty towards DC residents with variety of ethnic and religious backgrounds.

The expansion project will be the first construction project the community will undertake at this site for 60 years. The need for not only the amount but also the variety of space has been growing over the decades.

Project Description:

The existing building is a two-story (first floor and cellar) building with a ±2400 sf footprint at a RF-1 zone district. Existing building reflects the modern design language of the late 1950s with an exposed vaulted ceiling. Current 78' by 93' lot (829) will be combined with lots 804,805,806,807 on the north and lot 824 at the south to create a new single subdivision. The existing building is a conforming structure.

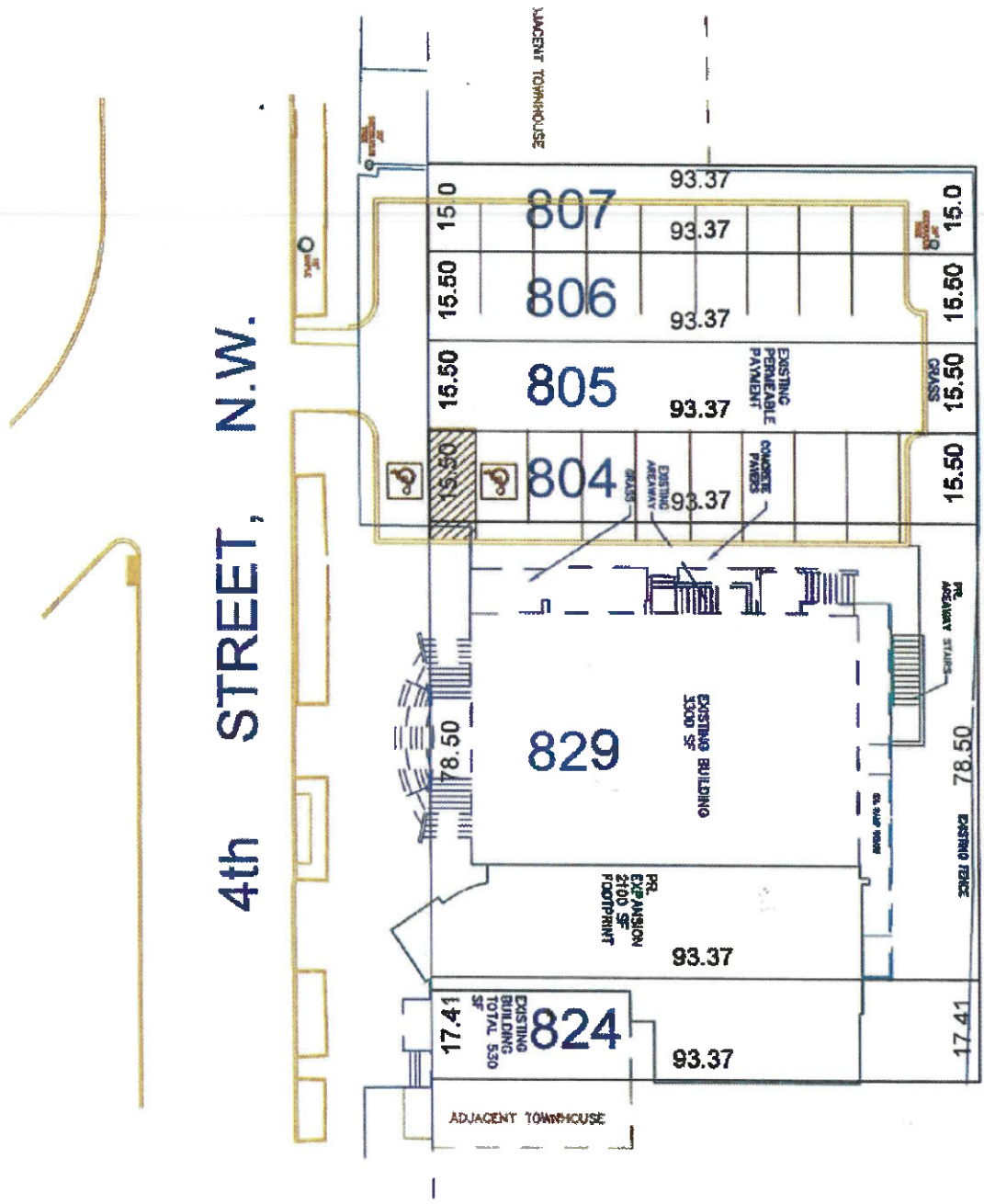
The expansion building is to fill in the vacant area at the south of the existing building up to the southern property line of lot 824, preserving the original townhouse building at the front. The expansion project is a quintessential "urban infill" project comprised of 3 above ground levels and two underground cellar levels. The existing building is 30.5', and the new expansion is 49.5' high; well under 60' by right height limit for religious use buildings at RF-1 zone. The tower, architectural embellishment piece at the front of the building, is 60' high.

The building use will be kept as "worship" with office space, classrooms and kitchen to support it.



Board of Zoning Adjustment
District of Columbia

4th STREET, N.W.



Relief Sought:

1. Special exception pursuant to E205.5 for the rear wall that does not comply with E-205.4 (X-900.2)

The project has been conceived as a by-right project that has been confirmed at Preliminary Design Review Meeting (PDRM) held in January 2016. Until 2017, rear additions could be built up to 20' setback from the property line in RF zones. The addition project has been feasible counting on that. Architecture and engineering teams prepared drawings accordingly. Due to delays in construction fundraising efforts, the application for permit couldn't be done until November 2017. In spring 2017, revised subtitle E205.4 came in effect limiting rear yard addition not to extend further than ten feet beyond the farthest rear wall of any adjoining principal residential building on any adjacent property.

Per 11E205.5, we are requesting special exception as evaluated against the criteria of Subtitle E 5201.3 through 5201.6 as described below:

- a) The light and air available to neighboring properties shall not be unduly affected;
The addition being perfect north of the adjacent property, places itself in a position to impact the neighbor's backyard the least from shadow point of view. Similarly, air to neighbor's property is not unduly affected with respect to by-right scheme.
- b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised
The addition does not have any windows looking into neighbor's backyard. Therefore it is not unduly compromising privacy. On the contrary, it will increase the privacy of neighbor's backyard, as the windows of the addition toward the backyard will be further out. Furthermore, the addition will limit the backyard use of this applicant that will provide more privacy and nice and cleaner sight for the adjacent neighbor.
- c) The addition or accessory structure, together with the original 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 subject street frontage.
Rear addition that the special exception is sought is completely out of sight from the 4th street sidewalks. At the back, there is a 5' wide alley, which is used only to store trash bins by the homeowners at the other side of the block. However, that alley stops short of the addition. Therefore the proposed addition is almost entirely out of sight from the public spaces. Existing high canopy trees that will be preserved during the construction will also help the addition blend into the neighborhood. The project has been designed to have a harmonious relationship with the existing townhouse row both at the front and back.
- d) ... the applicant shall use graphical representation such as plans, photographs, or elevation and section drawings to represent the relationship of the proposed addition or accessory structure to adjacent building and views from public ways;
Please see attached addendum.
- e) The board of zoning adjustment may approve lot occupancy of all new and existing structures on the lot up to a maximum of seventy percent.
No increase in by-right lot occupancy is sought.

Above explanation also works as the proof for special exception review standards called out at Subtitle X Chapter 901.2

2.Special exception pursuant to C-1504.1 for the penthouse enclosure and setback requirements that do not comply with C (X-900.2)

- a) The strict application of the current penthouse regulations does not allow any room to place the mechanical equipment in this tight roof area which houses access stair, solar panels and green roof.
- b) The relief requested would result in a better design of the roof structure without appearing to be an extension of the building wall. Penthouse enclosure will be a metal screen or louver system that would differentiate itself from the masonry brick wall of the building wall
- c) The relief requested would result in a roof structure that is visually less intrusive; relief requested penthouse is placed at the rear of the building that reduces its visibility and also allows the minaret tower at the front to appear by itself above the roof line.
- d) The narrow lot size (20') does not support a roof area to house mechanical equipment that has to meet DCMR ventilation requirements for assembly, education and office spaces below, in this 3 story above grade and 2 story below grade building.
- e) Every effort has been made for the housing for mechanical equipment and stairway to be in compliance with the required setbacks.
- f) The intent and purpose of this chapter and this title shall not be materially impaired by the structure, and the light and air of adjacent buildings shall not be affected adversely. The suggested penthouse being at the absolute north of the adjacent property assures it not to impact the light and air of the adjacent building.

Please see attached addendum supporting the arguments here and don't hesitate to contact me should you have any questions.

Ahmet Kilic, AIA, Leed AP

125 V St NW Washington DC 20001

Signature: 

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