

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: September 27, 2019

SUBJECT: BZA Case 20119 – Request for special exception to allow to allow the construction of a roof deck at 1800 Kenyon Street NW.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to C § 1504 for the following requirement:

- Penthouse Setback, Subtitle C § 1502 – to allow guard rails on a garage roof deck less than the 1:1 minimum required - 3 ft. 7.5 ins; 8 inches proposed;

II. LOCATION AND SITE DESCRIPTION

Address	1800 Kenyon Street, NW
Applicant	Eric Goldstein and Katherine Douglass
Legal Description	Square 2598 Lot 0046
Ward, ANC	1/ANC 1A
Zone	RF-1
Historic District	Mount Pleasant Historic District
Lot Characteristics	The subject lot is rectangular corner lot with even gradient.
Existing Development	The property is developed with a single-family row home and a rear garage structure.
Adjacent Properties	As a corner lot, the home abuts one adjacent property to the west and 18 th Street to the east.
Surrounding Neighborhood Character	The neighborhood character is typical of similar rowhomes to the subject property, within the RF-1 District.
Proposed Development	The applicant proposes the installation of a roof deck over the garage at the rear. HPRB requested the applicant install railings instead of parapets, which were initially proposed.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone- RF-1	Regulation	Existing	Proposed	Relief
Lot Width E § 304	18 ft.	20 ft.	20 ft.	None Required
Lot Area E § 201	1,800 sf. min.	2,000 sf	2,000 sf	None Required
Penthouse Setback C § 1502.1 (c) (2) (B)	1:1 = 3.75 ft	-	8 inches	S.E Required

IV. OFFICE OF PLANNING ANALYSIS

1504 Relief to Penthouse Requirements

Relief to the requirements of Subtitle C § 1502 may be granted as a special exception subject to the following conditions:

(a) The strict application of the requirements of this chapter would result in construction that is unduly restrictive, prohibitively costly, or unreasonable, or is inconsistent with building codes;

The strict application of this requirement would be inconsistent with the request by the Historic Preservation Review Board (HPRB) to install railings above the garage instead of parapets originally proposed, which would not have required relief. Due to the corner location of the property, HPRB determined that visibility of the parapet would appear as an extension of the garage structure and would not be preferred. Installation of railings to satisfy the 1:1 setback requirement on the 16 feet wide garage roof would result in an inefficient 8-foot wide deck area, for passive recreation above the garage roof. Thus, in this instance, the requirement would be unduly restrictive for the provision of meaningful space as intended.

(b) The relief requested would result in a better design of the roof structure without appearing to be an extension of the building wall;

HPRB determined that the installation of railings would result in an improved design over the parapet, which would appear to be an extension of the side garage walls as viewed from public space.

(c) The relief requested would result in a roof structure that is visually less intrusive;

Based on HPRB’s determination, the installation of railings, would be less visually intrusive than parapet walls, which would have been permitted as a matter-of-right.

(d) Operating difficulties such as meeting D.C. Construction Code, Title 12 DCMR requirements for roof access and stairwell separation or elevator stack location to achieve reasonable efficiencies in lower floors; size of Subtitle C-115 building lot; or other conditions relating to the building or surrounding area make full compliance unduly restrictive, prohibitively costly or unreasonable;

This is not applicable in this instance.

(e) Every effort has been made for the housing for mechanical equipment, stairway, and elevator penthouses to be in compliance with the required setbacks; and

This is not applicable in this instance.

(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 intent of a rooftop installation is to reduce visibility from public space and the proposed railings would be less intrusive visually than solid brick walls. Light and air to adjacent properties would not be adversely affected due to shadowing and reduced airflow.

V. COMMENTS OF OTHER DISTRICT AGENCIES

At the writing of this report, other District agencies' reports had not been added to the record.

VI. COMMUNITY COMMENTS TO DATE

ANC 1D held its regularly scheduled meeting on September 24, 2019. Its report is submitted to the record at Exhibit 34.



LOCATION and ZONING MAP