

1738 Church Street, NW

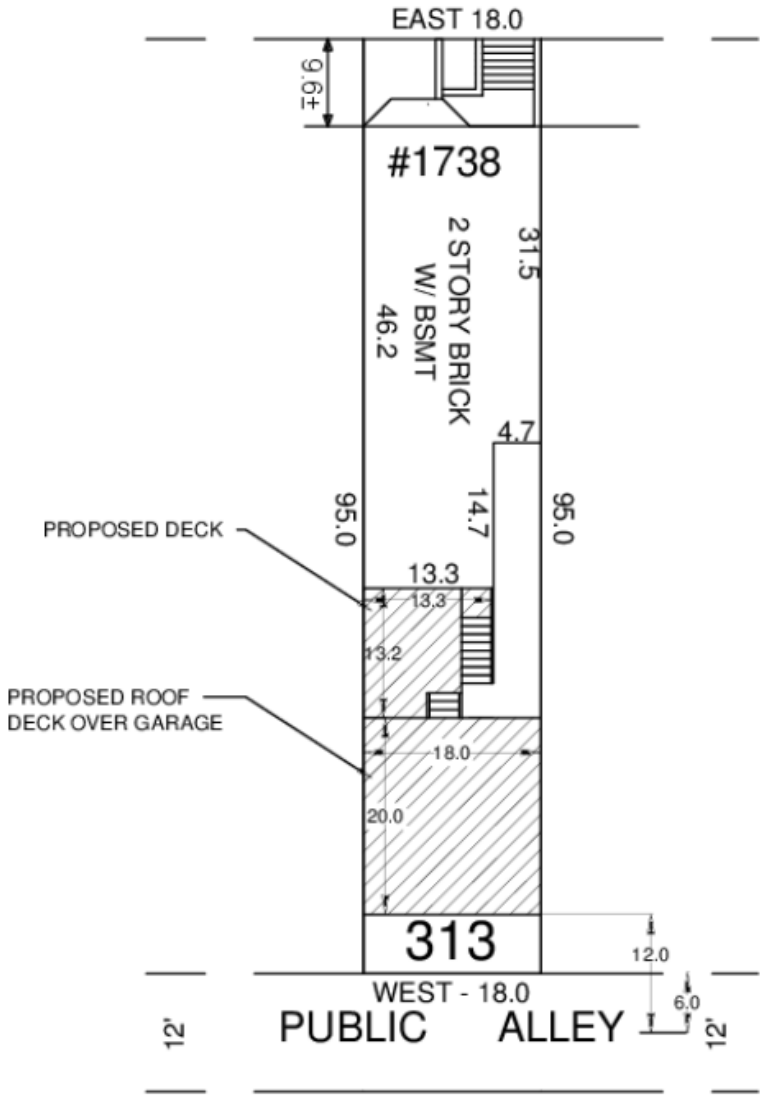
BZA APPLICATION NO. 20178
MURAT AND KATHRYN KAYALI

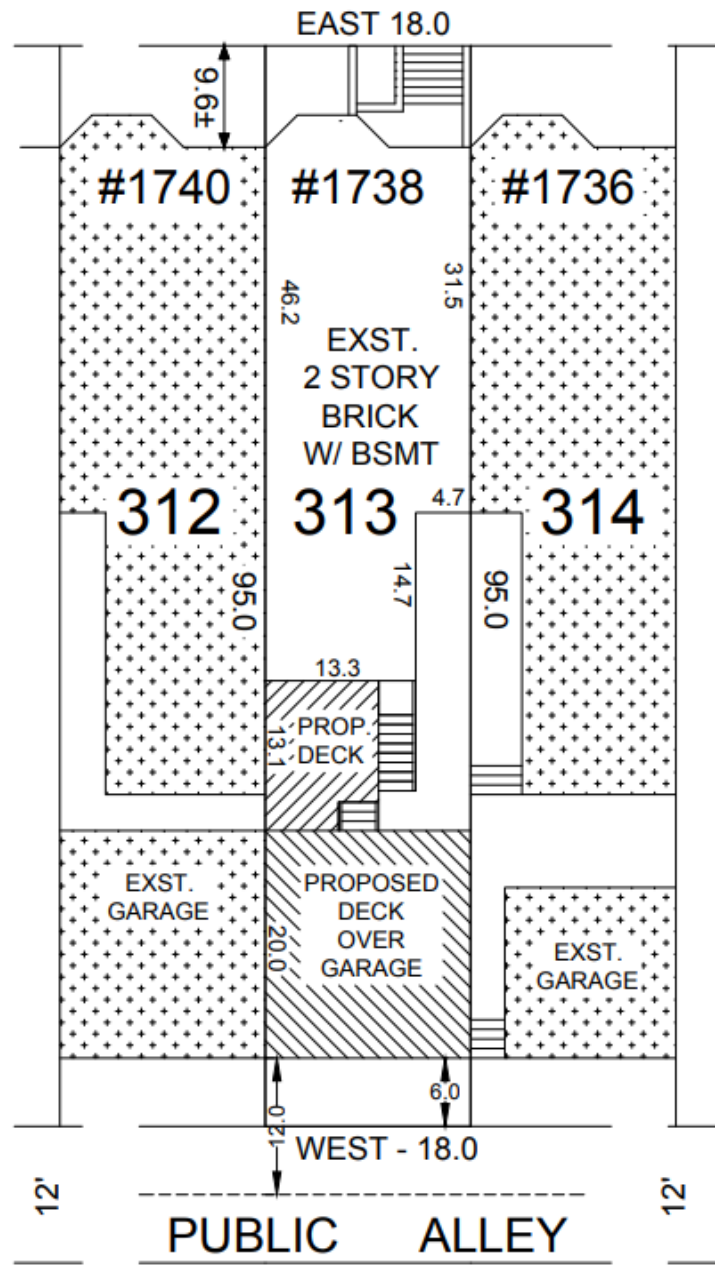
JANUARY 29, 2020

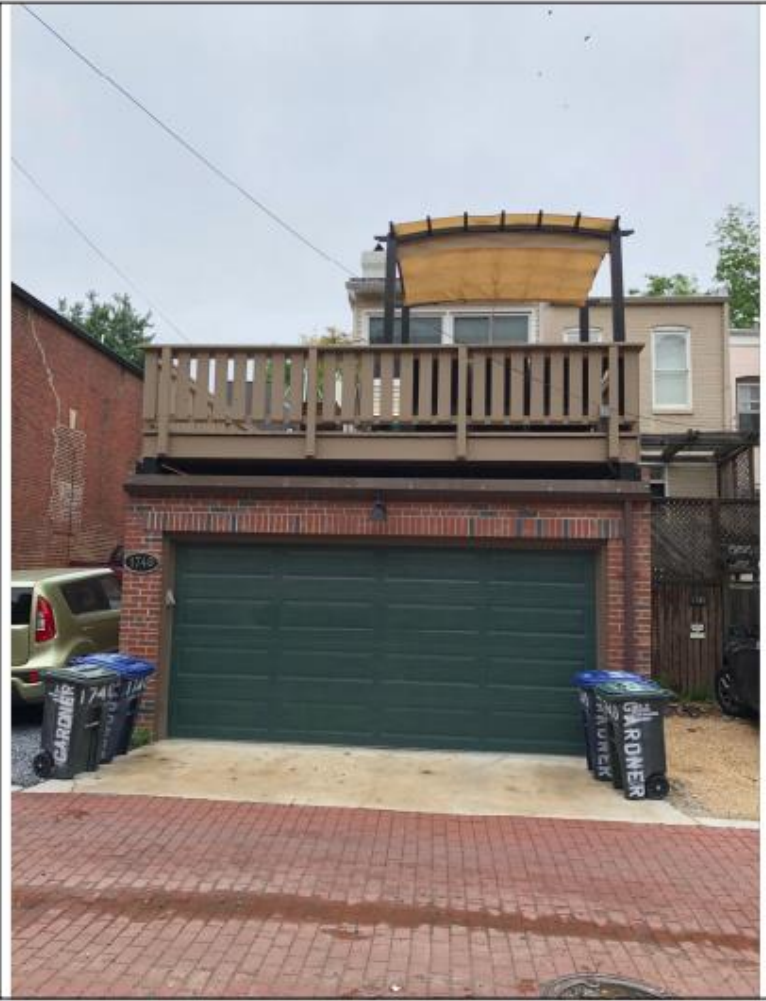
Overview

- Subject Property, located in the RA-8 zone, is currently improved with a single-family dwelling
- The Applicant is proposing:
 1. To construct a new garage and roof deck
 2. To replace an existing rear deck which will connect the house and garage
- The Applicant is requesting special exception relief from the rooftop guardrail setback requirement of Subtitle C § 1502(a), (b) and (c), pursuant to Subtitle C § 1504.1 (3 ft. setback minimum required; 0 ft. setback proposed)
- The Applicant is also requesting variance relief from the lot occupancy requirement of Subtitle F § 604, pursuant to Subtitle X § 1000 (60% maximum permitted; 44.6% existing once the current deck is removed; 76.7% proposed)

CHURCH STREET, N.W.







1740 CHURCH ST. NW. (ALLEY SHOT)

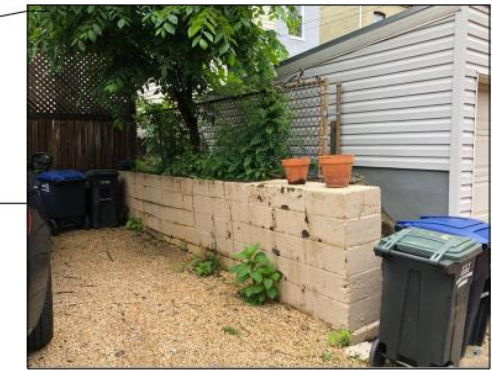
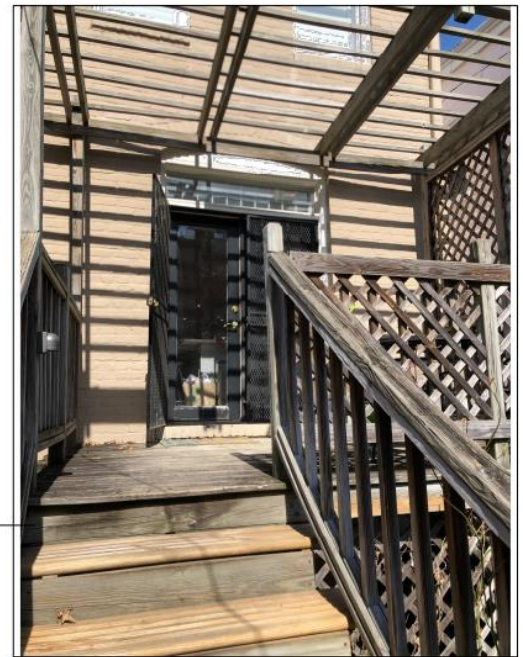
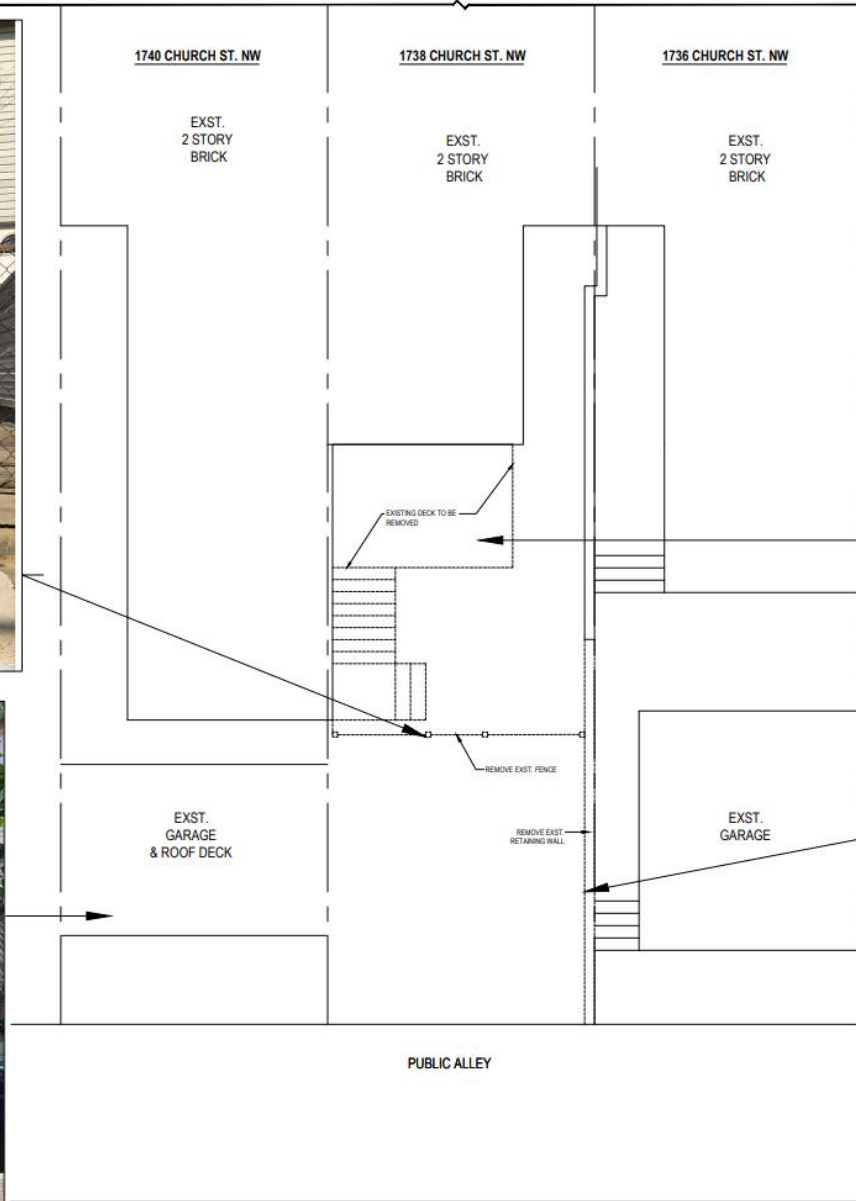
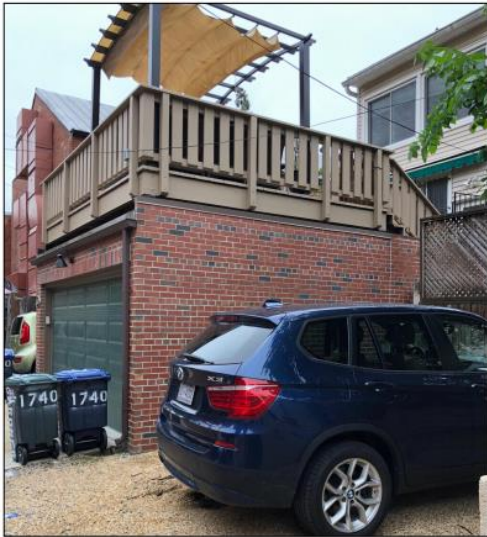
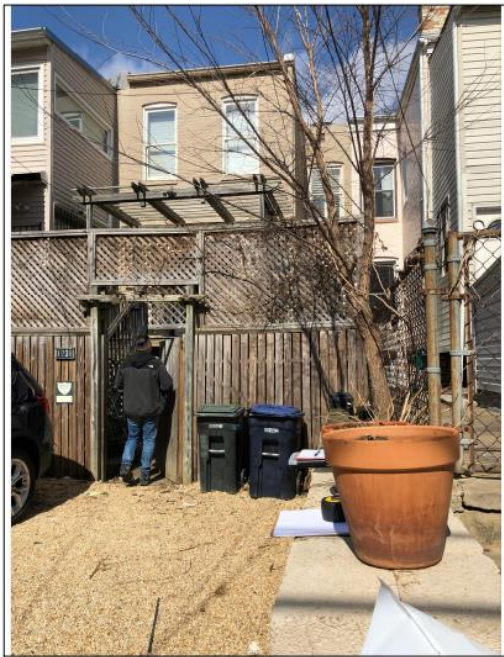


1738 CHURCH ST NW (ALLEY SHOT)

Subject Property

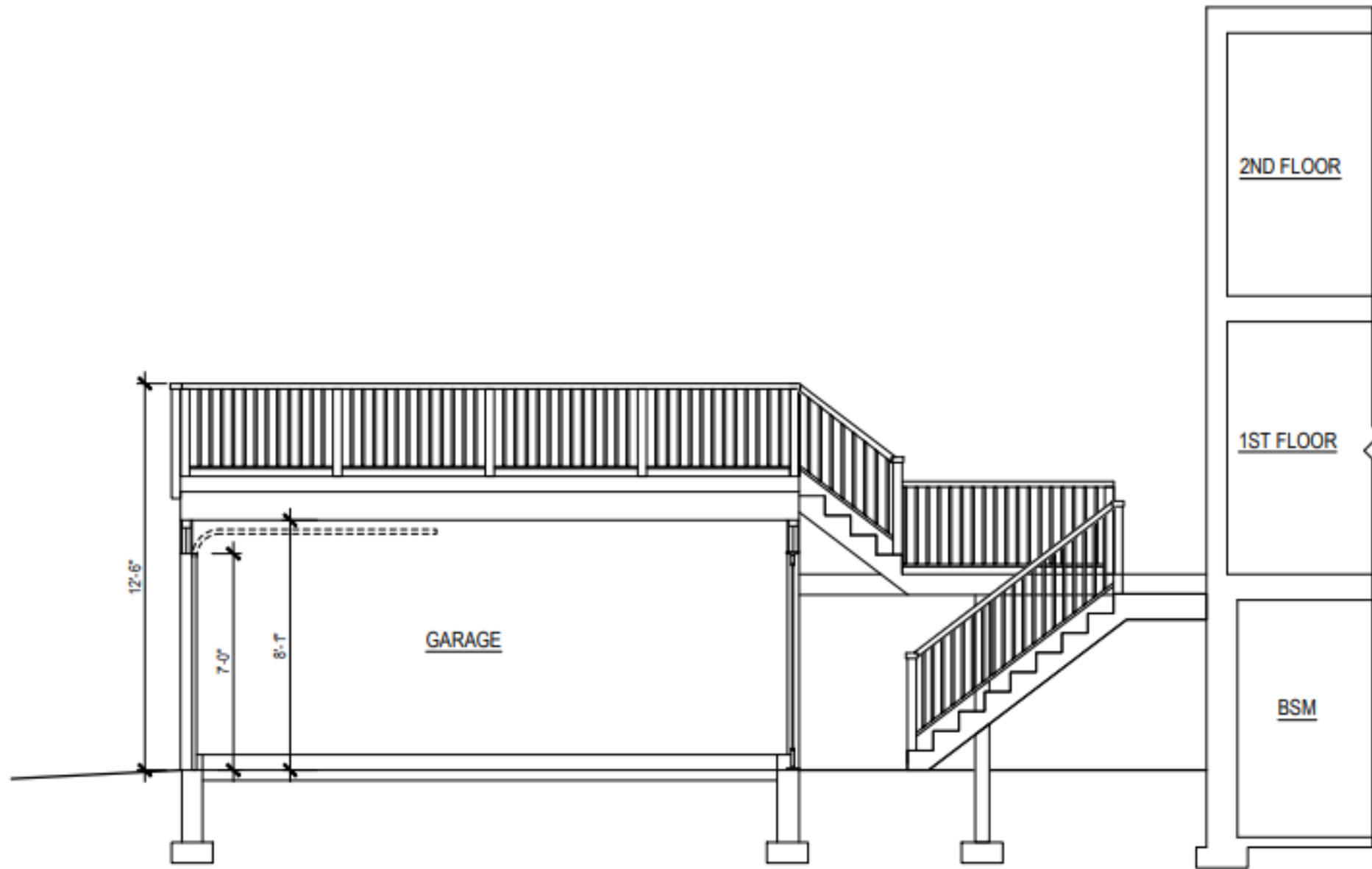


1736 CHURCH ST. NW. (ALLEY SHOT)

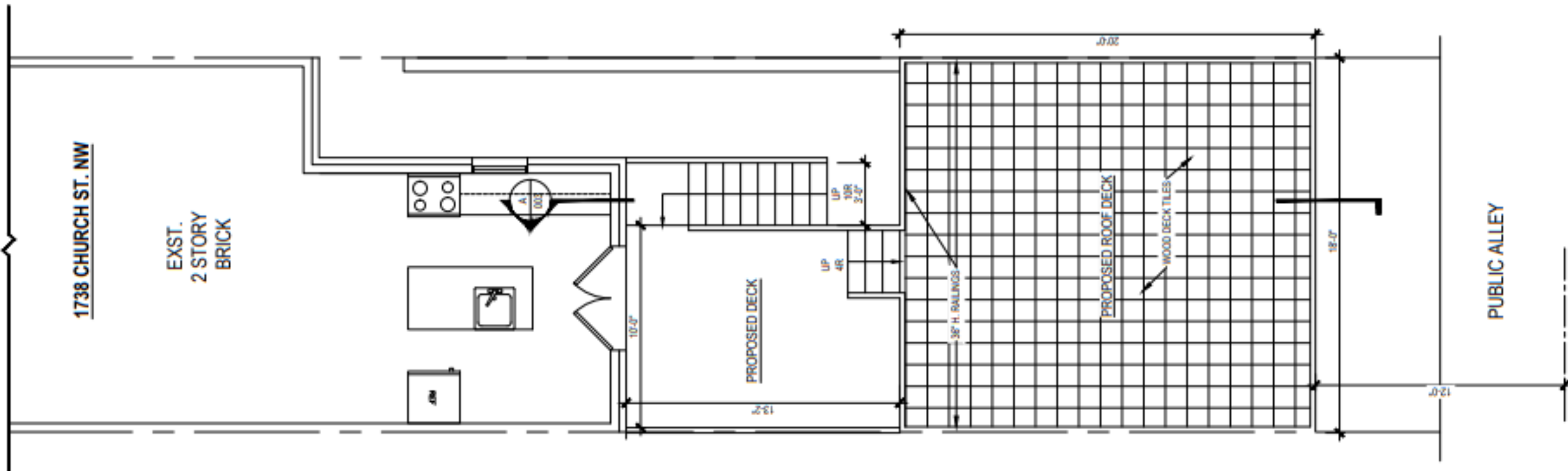


EXISTING & DEMO PLANS
SCALE: 1/4" = 1'-0"





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



General Special Exception Requirements of Subtitle X § 901.2

- 1) Project will be in Harmony with the General Purpose and Intent of the Zoning Regulations and Zoning Maps*
- 2) Project will not tend to affect adversely, the Use of Neighboring Property in accordance with the Zoning Regulations and Zoning Maps*

Special Exception Requirements of Subtitle C § 1504.1

(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;

- Proposed guardrails would be consistent with the existing development pattern along the south side of Church Street for similar decks
- The provision of setbacks would result in a deck that would likely be more costly and less functional, which would be unreasonable given the existing pattern of roof decks along the block

Special Exception Requirements of Subtitle C § 1504.1

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

- Proposed reduced setbacks for the guardrail would result in a better design of the roof deck, as it would be consistent with existing roof decks along the same block

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

- The proposed roof deck guardrails on the accessory building would be visible from the alley but would not be visible from Church Street

- *(d) and (e) do not apply*

Special Exception Requirements of Subtitle C § 1504.1

(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

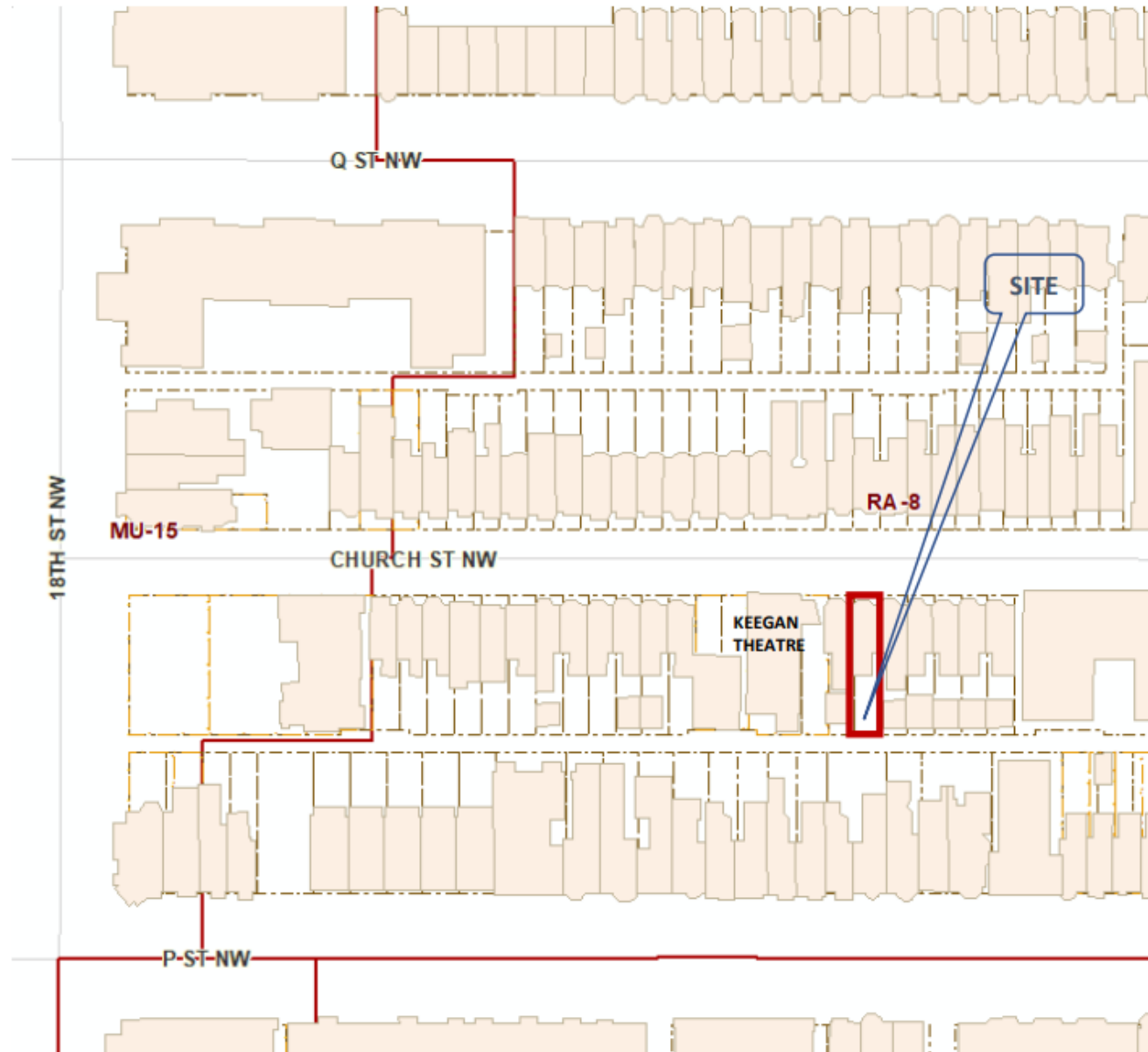
- The proposed roof deck is located at the rear of the dwelling, would not be visible from Church Street and would be consistent with the existing pattern of decks along the south side of Church Street, which typically provide no setback
- The deck would remain open to the sky and in-line with existing roof decks, resulting in minimal impact to light and air of adjacent buildings
- Letters of support from abutting neighbors have been provided to the record at Exhibits 8 and 9

Variance Relief from Subtitle F § 604, Lot Occupancy

i. Exceptional Situation Resulting in a Practical Difficulty

- The Subject Property is alone among this half of the block in having no structure along or near the rear property line.
- This exceptional condition with the Subject Property results in the peculiar and exceptional practical difficulties, including unauthorized parking from the nearby Keegan Theatre and other of the close-by commercial uses, providing a space for the proliferation of public trash and rodents, and the typical security issues of having this inviting, open space on this otherwise almost entirely closed row of buildings.
- These issues are not unlike those noted by the Applicant to the west, who received lot occupancy variance relief to construct an accessory building, in BZA Application No. 18824. The approved lot occupancy in that case was 91%.

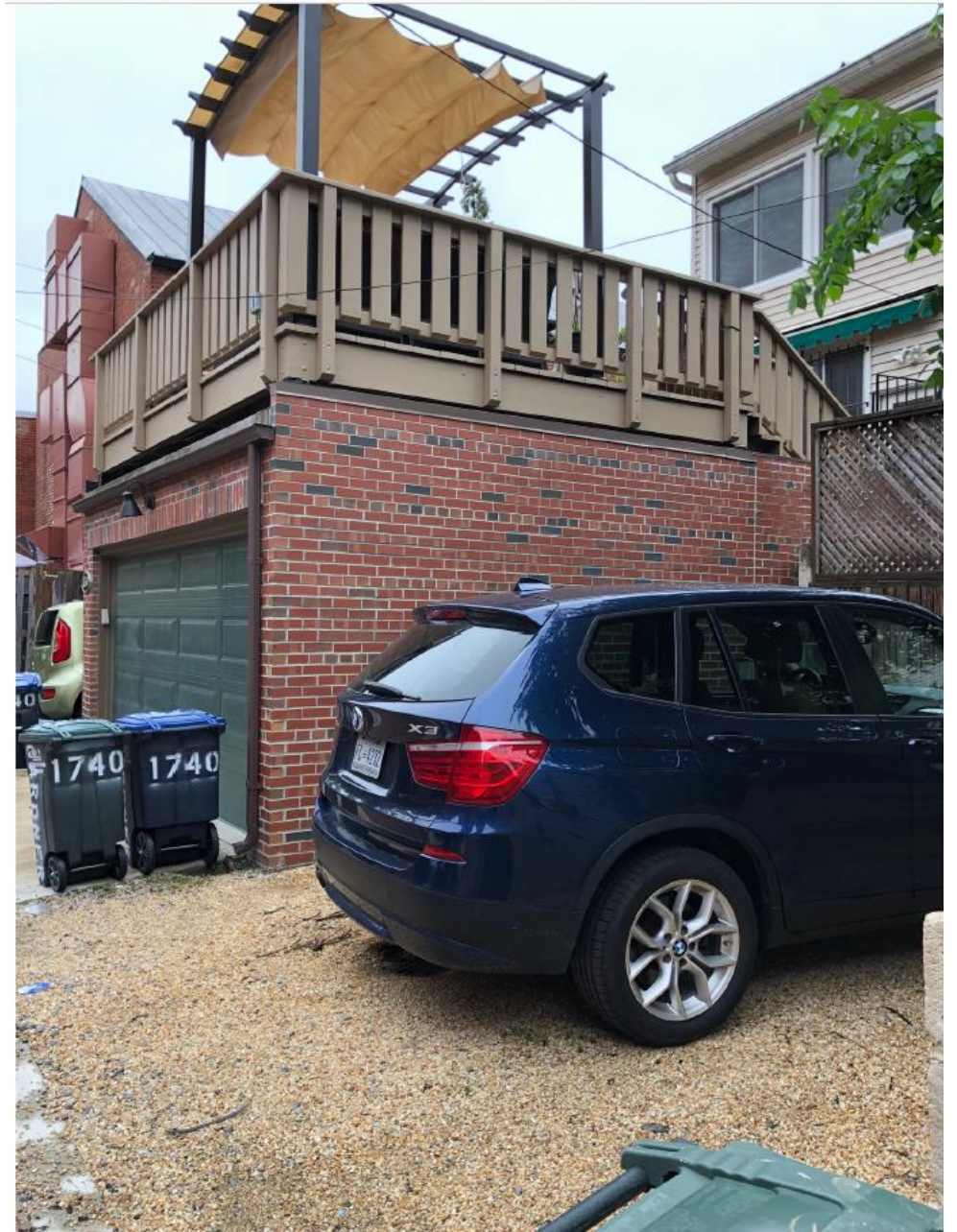
Location Map



Variance Relief from Subtitle F § 604, Lot Occupancy

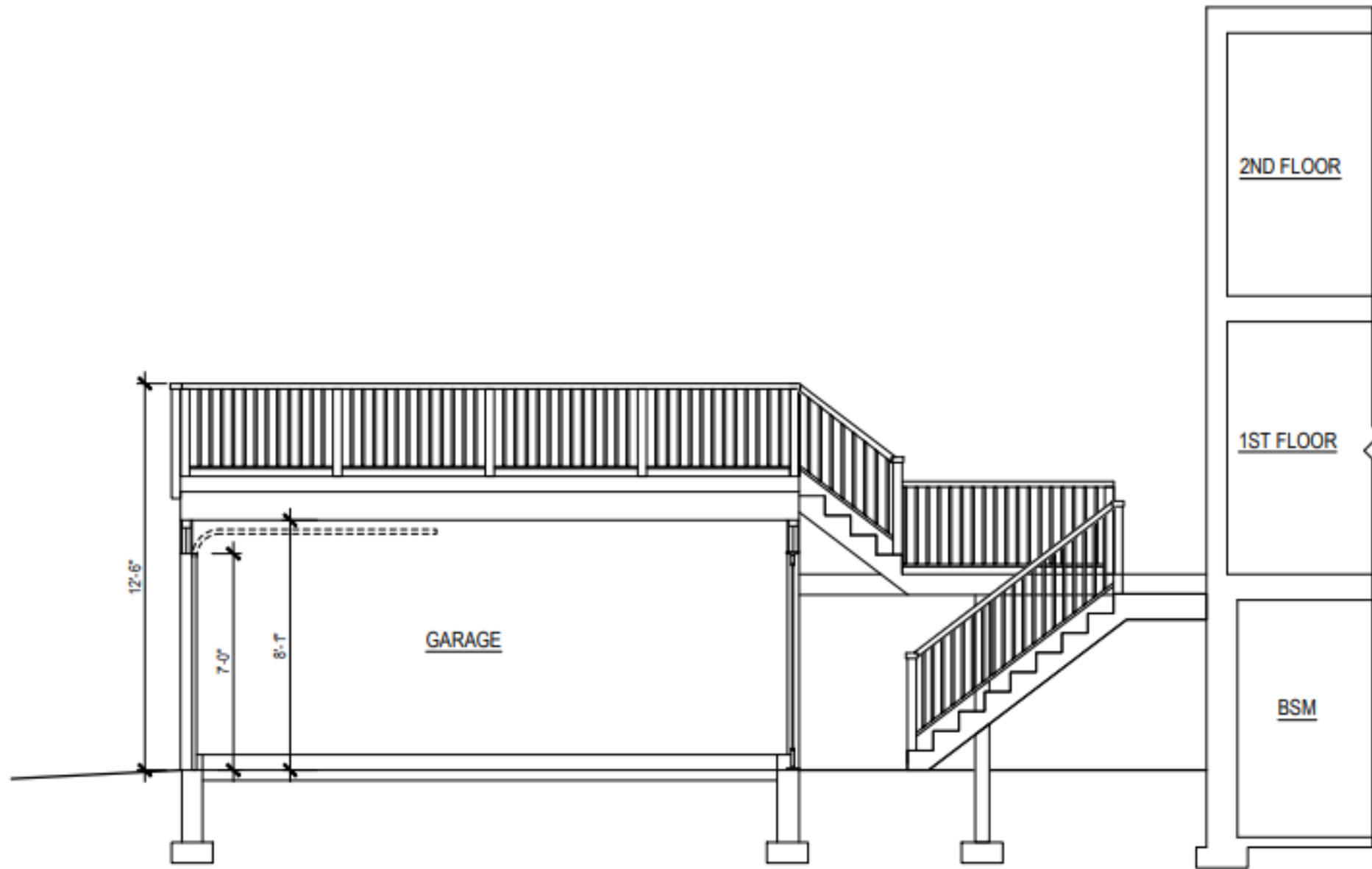
i. Exceptional Situation Resulting in a Practical Difficulty

- The Subject Property's rear yard is surrounded on three sides by buildings, as well as having larger buildings to the south across the alley
- With such a shallow and narrow yard (about 13 feet between the house and the parking area), this leaves most of the Applicant's back yard heavily shaded and virtually un-usable for any of the typical activities for which families use rear yards
- Not allowing a reasonably-sized elevated deck between the house and new garage results in the effective loss of use of a considerable portion of the rear yard space, which would be a peculiar and exceptional practical difficulty to the Applicant



1740's Roof Deck





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

Variance Relief from Subtitle F § 604, Lot Occupancy

ii. No Substantial Detriment to the Public Good

- The proposed accessory building would solve security, trash, and other concerns while continuing to provide parking for two cars and provide some recreation space equal to their neighbor to the west
- The currently proposed deck would go a long way in resolving the practical difficulty presented by the small and isolated yard space by providing a reasonable amount of elevated recreation space at a level which is even with the main level of the Applicant's house, while also providing safe and reasonable access to the accessory building's roof deck
- Both adjacent neighbors have submitted letters in support

Variance Relief from Subtitle F § 604, Lot Occupancy

iii. No Substantial Harm to the Zoning Regulations

- The Applicant is not changing the use of the Property
- The confluence of unique conditions is rare enough to protect the integrity of the Zoning Regulations
- All additional decking would remain as impervious surface, so there is no additional impact on stormwater drainage

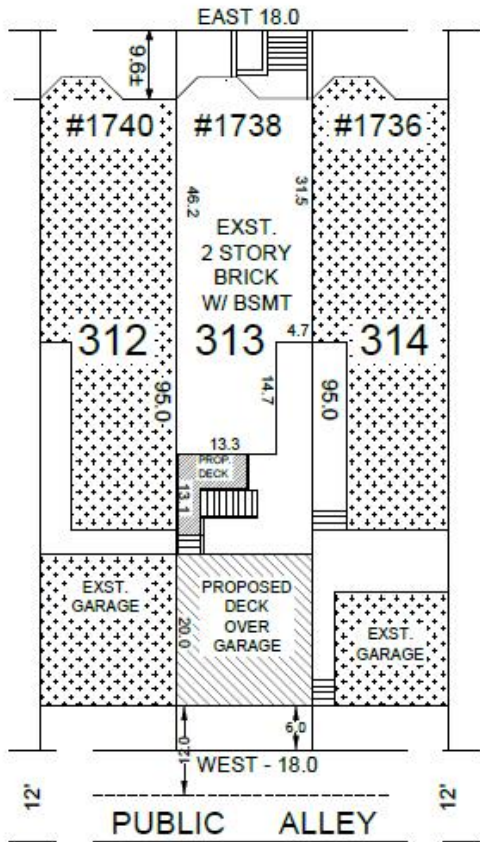
Alternative Plans

At the suggestion of the Office of Planning, the Applicant had their architect design two alternatives. One alternative reduces the lot occupancy to approximately 72.46%. The other reduces the lot occupancy down to the special exception target of 70%.

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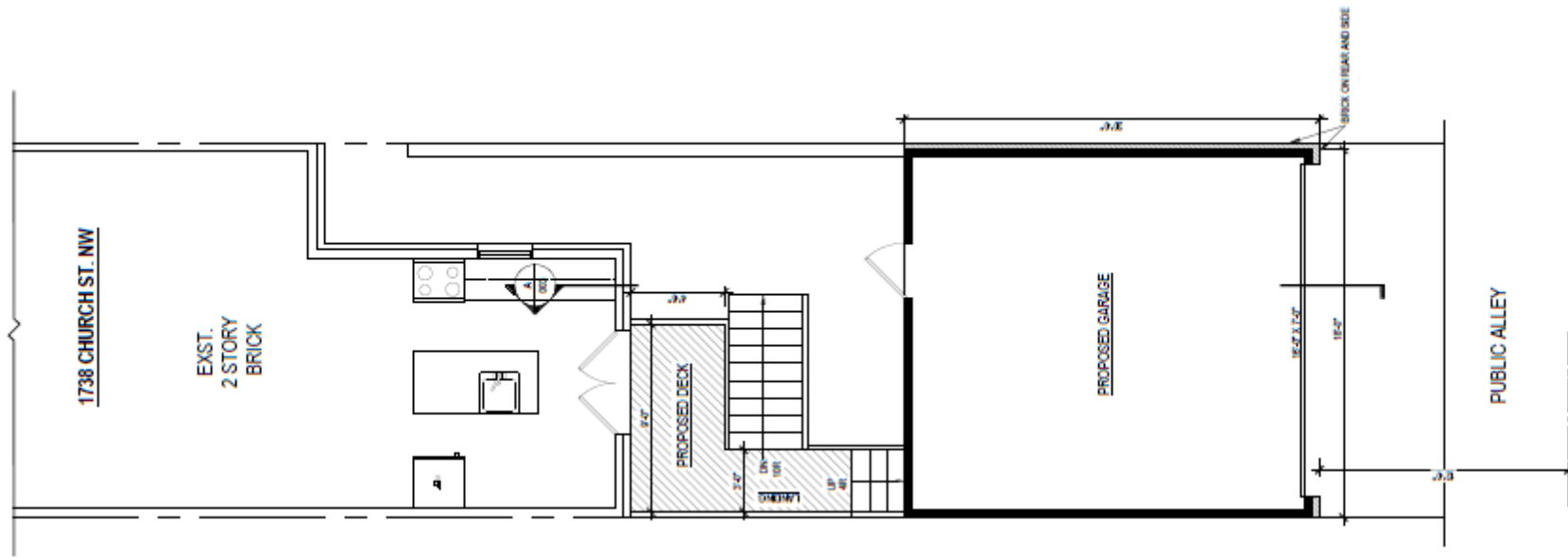
SITE PLAN



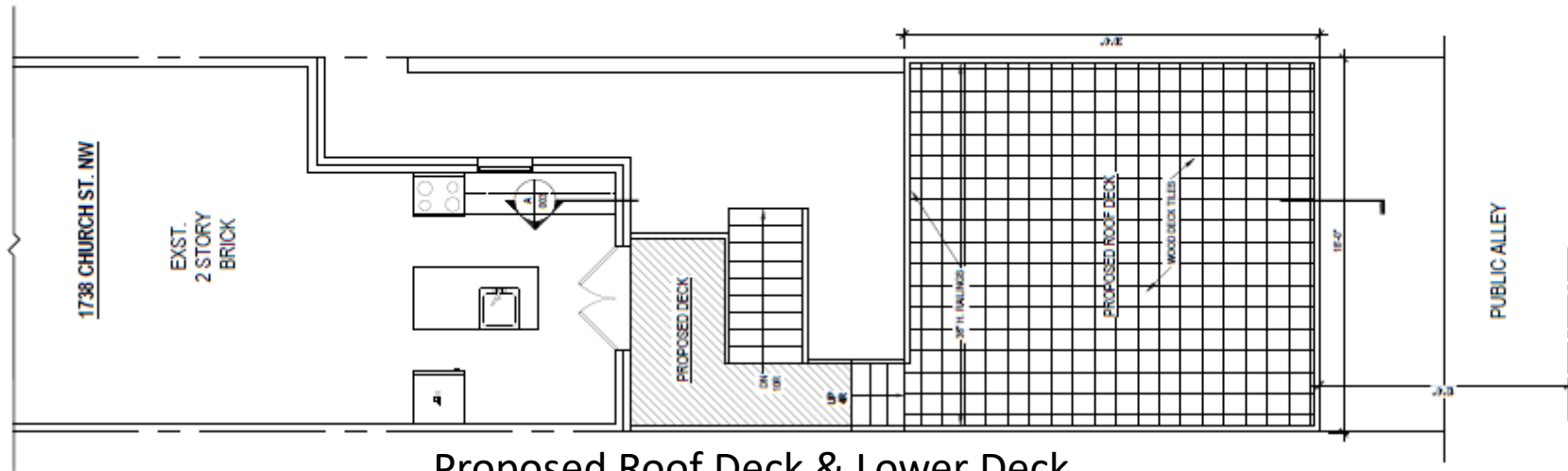
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1736 CHURCH ST. NW. (ALLEY SHOT)



Proposed Garage

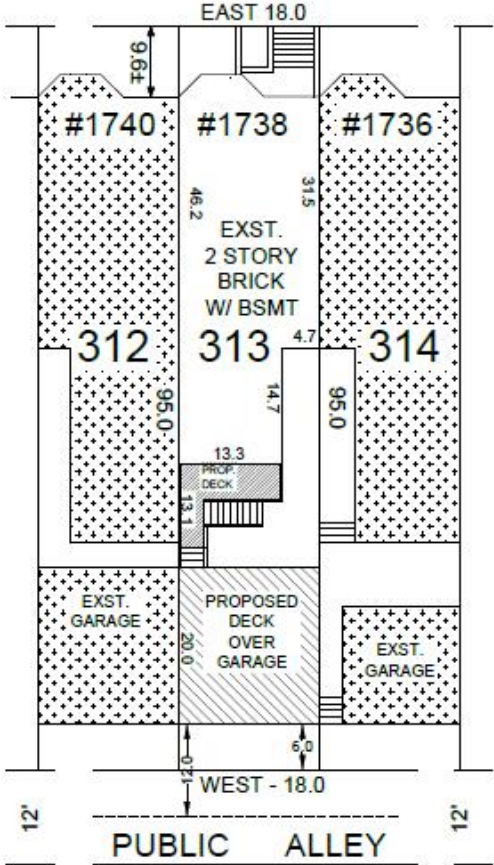


Proposed Roof Deck & Lower Deck

CHURCH STREET, N.W.



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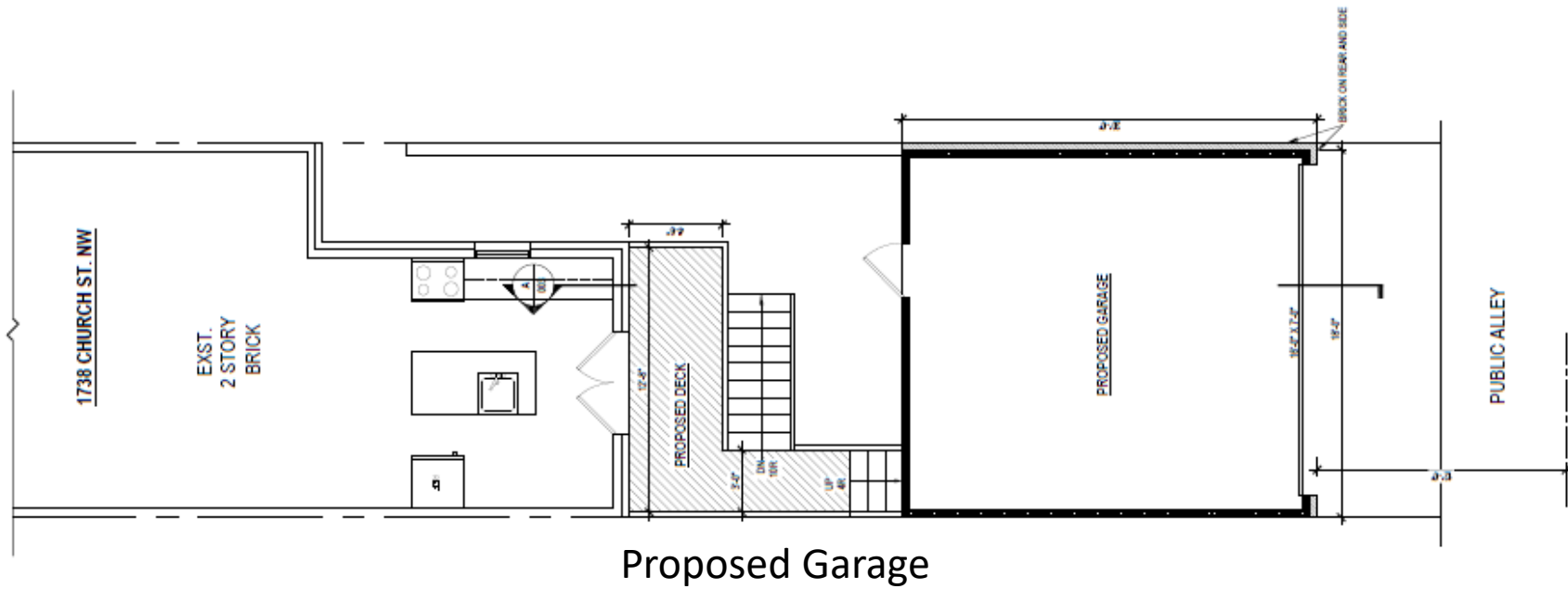
SITE PLAN



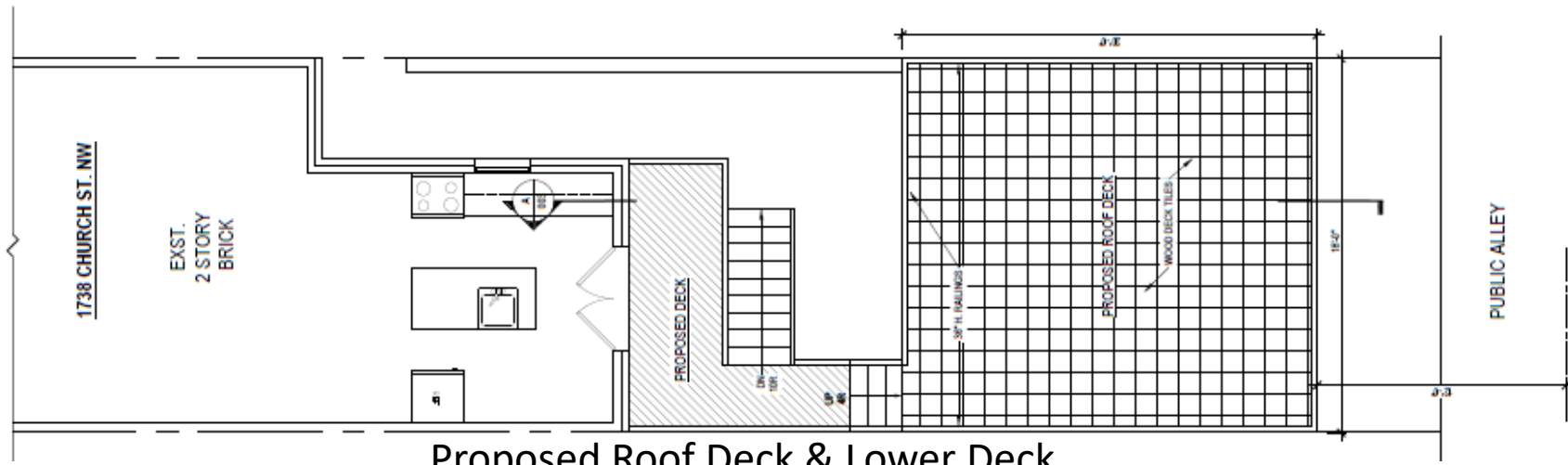
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1736 CHURCH ST. NW. (ALLEY SHOT)



Proposed Garage



Proposed Roof Deck & Lower Deck

Conclusion

- ANC voted to support 76% lot occupancy
- Both adjacent neighbors have submitted letters in support
- There are a confluence of unique factors resulting in an unnecessary burden to the Applicant in constructing a smaller connecting deck and in having no garage