

March 2, 2018

Board of Zoning Adjustment

Applicant's Preliminary Burden of Proof Statement

This statement is submitted on behalf of M2EDGEWOOD LLC, owner of the property location at 223 Adams St NE in the RF-1 zone district, is located near the intersection of 3rd and Adams Streets, NE. The property is currently a 4-unit multi-family building.

The Applicant is planning to modify existing architectural rooftop elements. To do so, the Applicant is requesting a Special Exception to 11 Subtitle E § 206.1(a)

*A roof top architectural element original to the building such as cornices, porch roofs, a turret, tower, or dormers, shall not be removed or significantly altered, including shifting its location, changing its shape or increasing its height, elevation, or size. For interior lots, not including through lots, the roof top architectural elements shall not include identified roof top architectural elements facing the structure's rear lot line. For all other lots, the roof top architectural elements shall include identified rooftop architectural elements on all sides of the structure;*

As permitted under Title 11 Subtitle E § 206.2

*In an RF zone district, relief from the design requirements of Subtitle E § 206.1 may be approved by the Board of Zoning Adjustment as a special exception under Subtitle X, Chapter 9, subject to the conditions of Subtitle E § 5203.3.*

Per Subtitle E § 5203.3, the proposed exception is also subject to Subtitle E § 5203.1 (b), (c), and (d). The proposed construction fully complies with the above sections as outlined below –

*The Board of Zoning Adjustment may grant as a special exception a maximum building height for a principal residential building and any additions thereto of forty feet (40 ft.) subject to the following conditions:*

*(b) Any addition, including a roof structure or penthouse, shall not block or impede the*

*functioning of a chimney or other external vent on an adjacent property required by any municipal code;*

The construction for which the special exception is requested does not interfere w/ any adjacent chimneys or vents.

*(c) Any addition, including a roof structure or penthouse, shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator;*

There are no solar panels on the adjacent building.

*(d) A roof top architectural element original to the house such as a turret, tower, or dormers shall not be removed or significantly altered, including changing its shape or increasing its height, elevation, or size;*

The existing roof is a simple asphalt shingle roof that does not have any notable features, and additionally does not have a “turret, tower, or dormer”.