

BOARD OF ZONING ADJUSTMENT  
SPECIAL EXCEPTION APPLICATION

APPLICANT'S STATEMENT

410 Franklin Street, N.W.; Square 3209 Lot 102

I. INTRODUCTION AND NATURE OF RELIEF SOUGHT:

Tim Baird (the "Applicant") is the owner of the property located at 410 Franklin Street, N.W.; Square 0510 Lot 0139 (the "Property"), which is zoned RF-1.

The improvements on the Property currently consist of adding a third floor and extending the existing building in the rear, a total area of 5' wide by 10' deep. The Applicant kindly requests the Board of Zoning Adjustment to grant special exception to the proposed project from Subtitle E Section 304.1 – Lot Occupancy, and Subtitle E Section 306.1 – Rear Yard, as stated on Subtitle E Section 5201.1.

II. BACKGROUND AND DESCRIPTION OF THE PROPERTY:

A. Surrounding Area - The Property is located on 410 Franklin Street and it is zoned RF-1. The property is surrounded by townhomes also zoned RF-1. The property is located at the corner of Franklin Street and a 10' alley that separates the property from the parking lot and playground of KIPP Shaw Campus. The entrance to the parking lot and the school are from P and 5<sup>th</sup> streets. The parking lot has a low retaining wall and fencing that separates it from the 10' alley.

B. Project Description - The Applicant plans to alter, renovate, and expand the existing building by constructing a new third floor, and extending the existing building to the rear. ( 5 feet wide by 10 feet deep).

The proposed building will contain a studio on the ground floor and a one bedroom unit on the second and third floors.

The proposed overall building height will extend from approximately twenty-three point six (23.6) feet to thirty-three point five (33.5) feet; which is below the maximum allowed thirty-five (35) feet. The proposed rear extension will not extend beyond the existing footprint of the townhouse. This addition will fill out the existing 5'x10' dogleg that is currently next to the alley.

III. SPECIAL EXCEPTION REQUESTED FOR:

**Subtitle E Section 304.1** - Allowed max. lot occupancy for RF-1 per table E 304.1 is %60. Per Subtitle E Section 5201.3.

Proposed - Existing lot occupancy is at %61, lot occupancy with the new addition will be %69.2.

**Subtitle E Section 306.1.** -A minimum rear yard of twenty feet (20 ft.) shall be provided in the RF-1 zones.

Proposed - Existing rear yard is 13 feet. The proposed addition will maintain the existing rear yard at 13 feet.

#### IV. THE APPLICATION SATISFIES SPECIAL EXCEPTION REQUIREMENTS

**A. Subtitle E § 5201.1** The Board of Zoning Adjustment may approve as a special exception in the RF zones, relief from the following development standards of this subtitle, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9. **(a) Lot occupancy; (b) Yards;** (c) Courts; (d) Minimum lot dimensions; (e) Pervious surface; and (f) The limitations on enlargements or additions to nonconforming structures as set forth in Subtitle C § 202.2.

**B. Subtitle E § 5201.2** Special exception relief under this section is applicable only to the following: **(a) An addition to a residential building;** (b) A new or enlarged accessory structure that is accessory to such a building; or (c) A reduction in the minimum setback requirements of an alley lot.

**C. Subtitle E § 5201.3** An applicant for special exception under this section shall demonstrate that the addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular: Subtitle E-32

(a) The light and air available to neighboring properties shall not be unduly affected;

- The 5 feet by 10 feet addition to the rear fills out the dogleg located on the alley side and it does not extend beyond the existing building footprint. There are no buildings on the alley side (west) of the property. The project's impact to the neighboring properties to the east is minimal.

(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;

- The addition is on the side facing the alley and it does not unduly impact the privacy of the neighboring properties.

(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;

- The massing of the addition and the use of different materials and colors differentiate the existing architecture from the new addition. The proposed addition does not substantially intrude upon the character, scale, and pattern of the neighborhood; on the contrary, it has been designed to play a secondary role and to respect the existing architecture and character of the street. The proposed simple massing, large openings, and dark color selection, allows for the traditional architecture to stand out and to preserve the cohesive character of the street.

(d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to

represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways;

- Please refer to the exhibits that illustrate that the proposed addition does not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property.

(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 (70%).

- The existing townhouse has lot occupancy of 61%. The proposed addition results in a lot occupancy of 69% - less than the max 70% that may be permitted by special exception.

#### V. CONCLUSION

The applicant that submits this application meets the requirements for special exception approval by the Board of Zoning Adjustment for the reasons stated above. The Applicant respectfully requests that the Board of Zoning Adjustment grant the requested special exception reliefs.

Sincerely,



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Tim Baird  
12.21.2018