

# Submission of Opposition to Case No. 20290

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PRESENTED ON DECEMBER 9, 2020

MEGHANN TEAGUE AND CHETAN CHANDRA

ADJACENT NEIGHBORS; PARTY STATUS GRANTED OCTOBER 23, 2020

# Subversion of 900 Square Foot Rule

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*Granting this application will result in the subversion of the 900 sqft rule that will reduce the rule to nothing more than a nominal consideration, stripped of its ability to manage density in residential areas.*

# Subversion of 900 Square Foot Rule

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The Applicant's current iteration dropped the number of units to *avoid* the 900 square foot rule

- But *did not reduce* the scope and scale of the project
- In fact, the number of bedrooms has *increased* from 16 to 27! (*69% increase!*)

# Subversion of 900 Square Foot Rule

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This simply cannot be within the scope and spirit of what the zoning regulations intend for RF-1 zones

- The 900 square foot rule appears to be the main tool for appropriately managing density in an RF-1 zone

If granted, this application will serve as the beginning of the complete erosion of the 900 sqft rule

- No longer will the rule serve as a *meaningful way* to manage density in residentially zoned neighborhoods

# Subversion of 900 Square Foot Rule

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Granting this application sets worrisome precedent

- Makes complying with the 900 sqft rule a simple exercise of reducing the number of kitchens without any regard for the purpose of the rule

The weight of the rule would essentially disappear and with it the ability to manage density

# Subversion of 900 Square Foot Rule

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The Board is given discretion to consider the *intent of the zoning regulations* in Subtitle X-901.2(a)

“The Board of Zoning Adjustment is authorized . . . to grant special exceptions, as provided in this title, where, in the *judgment* of the Board of Zoning Adjustment, the special exceptions.. (a) [w]ill *be in harmony with the general purpose and intent* of the Zoning Regulations and Zoning Maps;”

# Subversion of 900 Square Foot Rule

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*The Board should exercise its discretion, as mandated by Subtitle X-901, and find that the circumstances of this application sharply diverge from the intent of the zoning regulations - in particular, the 900 sqft rule set forth in E-320.2 – and require to Applicant to make meaningful changes to align their proposal with the intent of the 900 sqft rule.*

# Subtitle 320.2

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*“The conversion of an existing residential building existing on the lot prior to May 12, 1958, to an apartment house, or the renovation or expansion of an existing apartment house deemed a conforming use under Subtitle U § 301.4 that increases the number of units, shall be permitted as a special exception in an RF zone if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, and subject to the following conditions....”*



# Effect on adjoining and neighboring properties

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While many of the neighbors have concerns with the effect of the proposed addition on the enjoyment of their own homes, we want to highlight three issues that have yet to be meaningfully addressed:

1. Trash - amount, location, removal.
2. Window wells - threatening structural integrity of neighboring homes
3. Parking

These points have been raised repeatedly to the Applicants but no progress has been made to *actually* resolve these concerns, other than *promises* to “address” them.

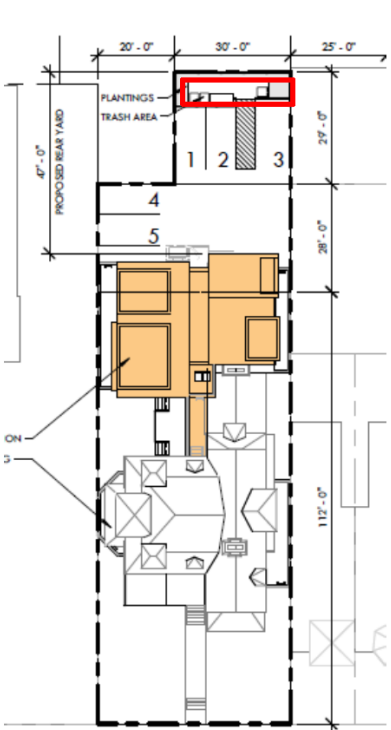
# Effect on adjoining and neighboring properties: **Trash**

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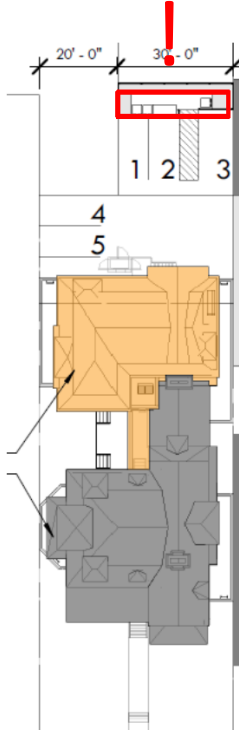
## Trash location, amount, and removal

- Despite the 70 % increase in proposed bedrooms and occupants...
  - **No changes** have been made to where the trash from 27+ occupants will be collected
  - **No actual plans** have been made to schedule and remove trash

# Effect on adjoining and neighboring properties: **Trash**



Trash only fits 3 bins, residents expressed concerns



Trash is the same size, even though occupancy has **increased by 69%**!

# Effect on adjoining and neighboring properties: **Trash**

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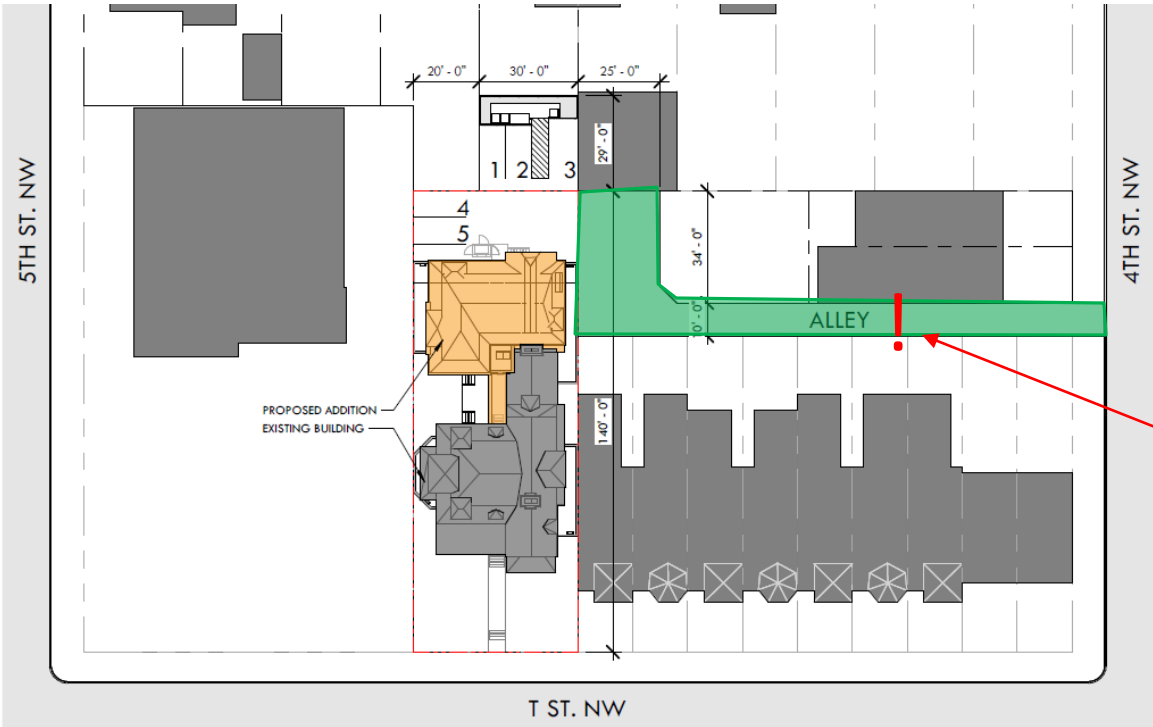
The consistent response we have received from the Applicant is that they “are working with a private trash company”

- This is not a plan – it is a dismissal of the neighbors concerns

We have an unusual alley on our block.

- It is unusually narrow (8 ft)
- As shown on the next slides, ***trash trucks simply cannot fit down the alley.***

# Effect on adjoining and neighboring properties: **Trash**



Only 8 feet wide here !

# Trash trucks do not fit

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*Monday, December 7, 2020 – trash truck becomes stuck in the alleyway behind our house.*

# Effect on adjoining and neighboring properties: **Window Wells**

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Applicants have proposed digging window wells in the 4-foot side yard between our house and the existing building.

The window wells will take up the entire side yard between the houses, making the side-yard impossible to traverse.

According to the proposed plans, the houses will essentially be adjoined – our foundations will abut each other.

# Effect on adjoining and neighboring properties: **Window Wells**

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The window wells will extend 6 feet into the ground immediately adjacent to the foundation of our home.

- While this was brought up when we met with the Applicant's representative, nothing has been done or communicated to us to address the potential impacts to the structural integrity of our home.



# Effect on adjoining and neighboring properties: **Parking**

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DDOT did not comment on the effect of the NEW proposal - that *adds* 11 bedrooms.

*From the OP report:*

## **VI. COMMENTS OF OTHER DISTRICT AGENCIES**

Exhibit 18 is a DDOT report stating no objection to the original proposal.

*Thank you for your time  
and careful consideration*

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