

**Agenda for
3515 Raymond St. Variance Hearing
7/13/2021
Via Zoom**

- 7:30 p.m. Call to Order, Opening Remarks & Explanation of Procedure
- 7:35 p.m. Presentation of Staff Report
- 7:40 p.m. Applicant Presentation of Variance Request
- 7:55 p.m. Opportunity for Council to Ask Questions of the Applicant
- 8:10 p.m. Opportunity for Residents to Ask Questions of the Applicant*
- 8:25 p.m. Opportunity for Resident Comments (in support or opposition of the
variance) *
- 8:40 p.m. Applicant Rebuttal
- 8:55 p.m. Council Deliberation and Vote

* In the interest of time, and depending on the number of residents who may wish to comment or ask a question, the Village may limit residents to two minutes of speaking time. Residents should please limit comments to new information for the Council to consider and questions which have not already been answered. Please note: all resident letters sent to the Council and/or Village Office have been entered in the official record.

This hearing will be audio recorded. All attendees should avoid talking unless recognized by the Chair, and coming to the podium to speak and identifying oneself by name and address.

Virtual Meeting Information

Below is the information for those residents who would prefer to dial in remotely or video in to the Council meeting.

1. Dial-In Option

Call: 1 301 715 8592

When prompted, enter the Meeting ID: 875 6634 7721# (you must enter the "#")

Password: 974816

2. Web/Video Option:

- a. Go to the Zoom meeting link:

<https://us02web.zoom.us/j/87566347721?pwd=UFloeElZamJWcTNRMi9KckQ5S0QwUT09>

- b. It will take you to Zoom to download, which is free. Then the meeting will launch. You can view the meeting or just listen in and talk when prompted.

Meeting ID: 875 6634 7721

Password: 974816

Topic: Variance Hearing for 3515 Raymond Street

Time: Jul 13, 2021 07:30 PM

MONTGOMERY CONSULTING

15111 Players Way - Glenwood, MD 21738 Tel: (301) 908-3220

SUBJECT: 3515 Raymond St. - Variance Comments

DATE OF MEMO: July 8, 2021

1. The applicants have applied for two variances of the Village Code.
2. The Village issued a building permit earlier this year and the new house is under construction.
3. The first variance is for Section 7-402 (e) (2), which states the new house cannot extend 80 feet beyond the front of the new building line.
4. The applicants are requesting a variance to build a second-floor office above the porch, which will extend the new house to 85 feet beyond the front building line.
5. Thus a 5-foot variance is requested.
6. The second variance is for Section 7-402 (e) (5) (ii), which states a projection may encroach a maximum of 3 feet into a building side yard setback.
7. The left side of the new house is located 10 feet from the left side yard, which is the minimum allowed setback for the left side of the new house.
8. The Village Code allows stairs to project a maximum of 3 feet into a side yard setback or 7 feet from the side yard property line.
9. The new stairs will be located 6.29 feet from the side property line.
10. Thus, a variance is 0.71 feet is requested.

If the Council approves the two variances, the applicants will then submit revised construction plans to MCDPS and to the Village. When the County approves the revised plans, the Village will revise the existing building permit to include the two changes.

If approved, I recommend the applicants provide the Village with a Wall Check as soon as the office and the stairs are constructed to insure they comply with the Village's variance conditions.



Village of Martin's Additions

7013 B Brookville Road

Chevy Chase, MD 20815

Email: manager@martinsadditions.org

301-656-4112 (Phone) 301-656-0030 (Fax)

Form Updated: June 1, 2020

Building Permit/Request Denied _____

Variance Request Filed 7/19/2021

Variance Number: _____

Hearing Date: _____ Decision: _____

Application for Variance from the Village of Martin's Additions Building Regulations [See Chapter 7, Section 7-405 of VMA Building Regulations]

Variance requests are considered by the Village Council at public hearings. Hearings take place at the monthly meetings of the Council, time permitting. The Council may, in its discretion, schedule a special meeting. Public notice of a variance request must be mailed to neighboring properties at least 20 days in advance of the hearing. Thus, based on the date of filing of the completed variance application, there may be insufficient time to hear the request at the next regularly-scheduled monthly meeting of the Council.

Applicant Name: Craig and Jennifer Saperstein

Address and Lot Number: 3515 Raymond St

Chevy Chase MD 20815

City State Zip

Phone: (202) 255-0328 E-Mail: jhsaperstein@gmail.com

Property Owner(s) (if other than applicant):

Name: _____

Address: _____

City State Zip

Phone: _____ E-Mail: _____

Briefly Describe Each Variance Requested (if part of larger project, please include context):

Please see attached.

Burden of Proof: In order for the Village Council to grant a petition for a variance, an applicant for a variance must prove that:

- By reason of exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary situations or conditions peculiar to the lot, the strict application of the Village Code would result in peculiar or unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property.
- Such variance is the minimum reasonably necessary to overcome the aforesaid exceptional conditions; and
- Such variance will not be detrimental to the use and enjoyment of adjoining or neighboring properties.

Describe why the variance is the minimum reasonably necessary to overcome the exceptional condition:

Please see attached.

Explain why the variance would not be detrimental to the use and enjoyment of neighboring properties:

Please see attached.

List of Required Filing Documents to Complete Application for Variance:

☐ **Boundary survey** with a margin of error of 0.1 foot or less.

☐ **Accurate site plan** showing boundaries, dimensions, area, topography and frontage of the subject property, the location and dimensions of all existing and proposed structures, the distances of such structures from the nearest lot lines, with all required setbacks clearly shown.

☐ **Plans**, architectural drawings, photographs, elevations, specifications, or other detailed information depicting fully the exterior appearance of existing and proposed construction.

☐ **A list of the names and mailing addresses** of the adjoining and confronting property owners who are entitled to notice of this variance application.

Abutting Neighbor #1:

Name Robert Crawford and Mark Nelson
Street Address 3513 Raymond

Abutting Neighbor #2:

Name Arthur & Elaine Alexander
Street Address 3517 Raymond

Abutting Neighbor #3:

Name Lenka & Mathieu Glassman
Street Address 3508 Cummings

Abutting Neighbor #4:

Name Jim and Cathy Gillespie
Street Address 3506 Cummings

Confronting Neighbor #1:

Name Alycia Weinger & Todd Rosentaver
Street Address 3512 Raymond

Confronting Neighbor #2:

Name _____
Street Address _____

[Attach more pages as necessary to provide a complete list of all abutting and confronting neighbors.]

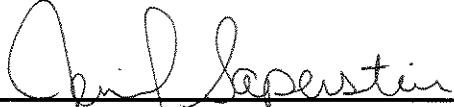
☐ **EBL Calculations:** Applications for variances from an established building line (EBL) should identify all lots used to calculate the EBL, and the calculations that determine the applicable EBL, and the locations of all structures and front yard setbacks on those lots.

☐ **All additional exhibits** which the applicant intends to introduce at the Village Council review meeting.

☐ **A non-refundable filing fee** of \$1,500 made payable to "Village of Martin's Additions" for the first variance request and \$250 for each subsequent variance in the request. Cash not accepted.

Affidavit

I hereby certify that I have the authority to submit the foregoing application, that all owners of the property have signed below, that I have read and understood all requirements, and that I or an authorized representative will appear at the scheduled public hearing in this matter. I hereby authorize the Village Manager, or the Manager's designee, and/or the Council to enter onto the subject property for the purposes of assessing the site in relation to this variance request. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the foregoing application are true and correct to the best of my knowledge, information and belief.



Applicant/Property Owner Signature

Jennifer Saperstein

Print Name

4/18/2021

Date



Applicant/Property Owner Signature

Craig Saperstein

Print Name

4/18/2021

Date

Date Variance Application Received by VMA:
Non-refundable Filing Fee. <input type="checkbox"/> Date and Check Number:
Date Notice of Variance Application Posted on Subject Property:
Date of Written Notification to Confronting and Adjoining Neighbors*:
(*must be at least 20 days prior to public hearing)
Date of Village Council review **:
(**usually the 3rd Thursday of each month)

Request for Variance 3515 Raymond Street

Briefly describe each variance requested (if part of larger project, please include context):

- a. In connection with building our new home at 3515 Raymond, we are seeking to build a home office attached to our master bedroom, replacing the balcony contained in our architects' plans with a room of the same dimensions. The permits for the home were approved in February and construction is underway. We now seek approval for a variance from Section 7-402(e)(2), the rear setback requirement, in order to build an office at the back of the home that exceeds the rear setback requirement by 5.0 feet. The roof would be located directly above the covered porch that will be located on the middle level of our home; that covered porch and the proposed balcony are consistent with VMA zoning requirements (i.e., there will already be a structure there that does not violate setback requirements; we are seeking a variance to change the nature of the structure from a balcony to an enclosed room of the same size).

The EBL analysis indicates the EBL is 33.0 feet from the front property line. The Code allows a building to extend a maximum of 80 feet beyond the EBL. The proposed addition will be located 85.0 feet beyond the EBL. Thus, a variance of 5.0 feet is requested.

- b. We also seek a variance from Section 7-402(e)(5)(ii) because alignment of the covered porch with the columns beneath it during construction necessitates extending the previously-approved stair landing and stairs over the permissible side setback by 0.71 feet.

The minimum secondary setback on the left side of the proposed house is 10.0 feet. The Code allows stairs to project into that minimum setback 3.0 feet or 7.0 feet from the side property line. The proposed stair will be located 6.29 feet from the left side property line. Thus, a variance of 0.71 feet is requested.

Explain why conforming to the Village Code would cause peculiar or unusual practical difficulties.

The lot's narrow width, deep length and the setback requirements only permit the construction of a long narrow home, which causes difficulties in finding space for a private home office under the approved plans. As a result of the pandemic (and its unpredictable duration), it is our expectation that a home office will be necessary to accomplish our professional responsibilities, especially given that at least one of our employers is experimenting with "hoteling" options for its workers and both employers considering more flexible options for working from home part-time. We also have aging parents who will increasingly occupy the guest bedrooms in our home, making those bedrooms unsuitable for regular use as an office.

The narrowness of the lot similarly impacts the side setback requirement, from which we seek a variance of less than one foot.

Describe why the variance is the minimum reasonably necessary to overcome the exception condition.

As noted above, the proposed home office that we seek to build would replace a balcony off our master bedroom that is above a covered porch; that balcony and the covered porch below it are consistent with VMA zoning requirements and still allow for the desired large rear yard setback. All we are proposing is to add walls and a roof to the balcony structure that will otherwise be constructed; we are not extending the length or width of the home. We understand the proposed office would not require a Montgomery County variance.

With respect to the porch stairs and side setback, the variance we seek is a matter of inches, to address an issue that arose during construction.

Explain why the variance would not be detrimental to the use and enjoyment of neighboring properties.

We have designed the proposed office to be sensitive architecturally and to help maintain privacy surroundings. The variance is not detrimental to the use and enjoyment of the neighboring properties because it faces the rear of our house and cannot be seen from the street. Moreover, the building of an indoor structure on the top level of the house will actually provide greater privacy to our neighbors, since we will not spend time outside on a balcony overlooking their properties. As noted above, the proposed home office is not an expanded structure; it is just an addition of walls and a roof. As such, it does not, in a practical sense, increase the size of the lot coverage, even if it is considered to do so as a technical matter under zoning rules.

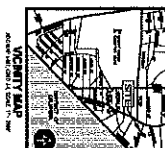
With respect to the porch stairs and side setback, the variance we seek is a matter of inches and unlikely to be detrimental to the use and enjoyment of neighboring properties.

- [illegible]

- [illegible]

[illegible]

**ESTABLISHED BUILDING
LINE DETERMINATION**
(Interagency Council)



CAS JOB NO.: 20-058
DATE: 04/20/20

Cost A Slugg
DART A. SCHWENKER PE

PATENTED

**Lot 33, H.M. Martins Third Addition to Chevy Chase
Plat Book 1, Plat No. 70, Recorded 08/1905
Bethesda (7th) Election District, Montgomery County, MD**

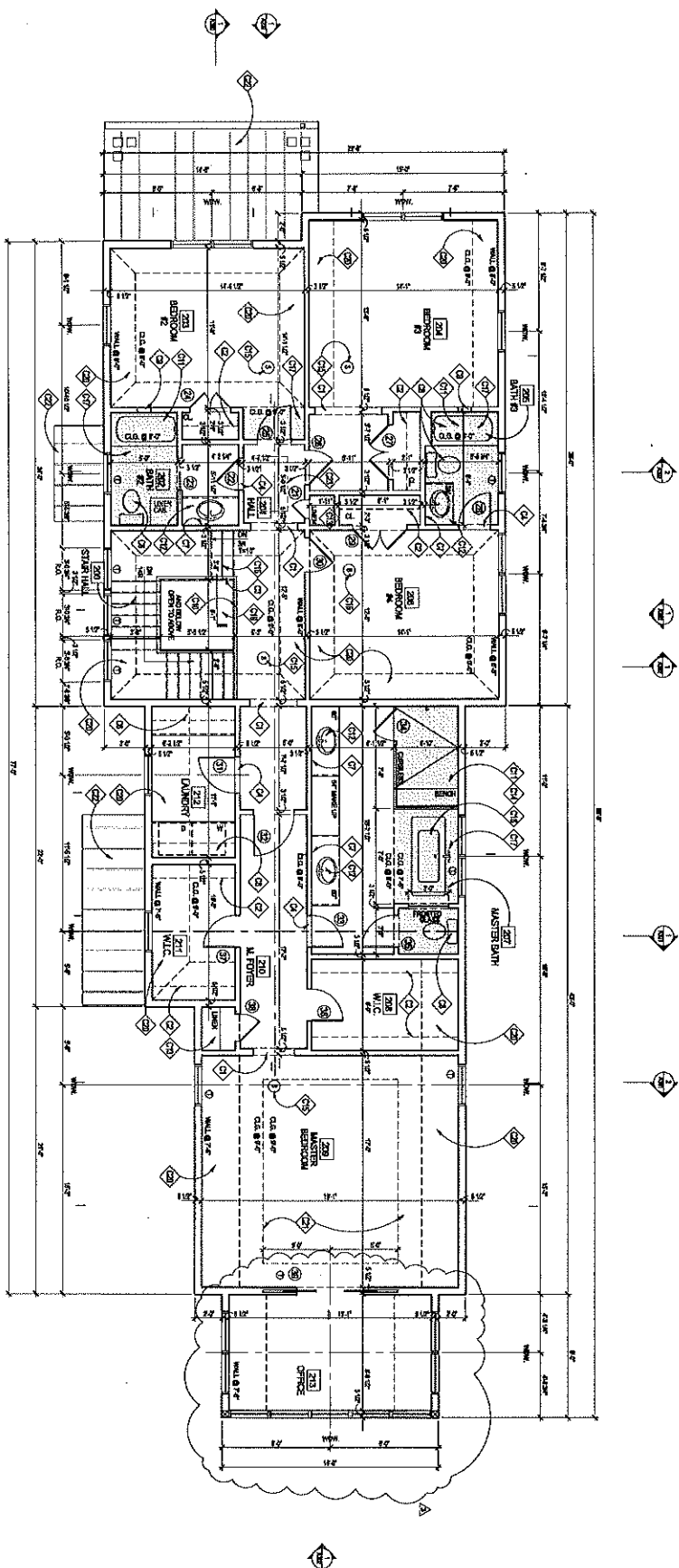
**3515 Raymond Street
Chevy Chase, Maryland 20815**

(20) **Quinn-Hill Junior, Inc.** (a public co.)
 1400 Valley Dr., E. #200
 2201 34th St. #1000
 98101-1010
 206-465-1200
 206-465-1200

2001 HINDEN-2001

SECRET
Estimated Building
Line Survey
1 OF 1

Please see updated office drawings for office footprint past rear BRL.



- [illegible]

- | | |
|-----|----------------------------------------------|
| 115 | OPTIONAL ELABORATION |
| 120 | SLONG COLORED ABOVE |
| 121 | THAT COLORED ABOVE, SEE PLAY FOR NOTES |
| 122 | EXTENDED BEAM WITH ABOVE BELOW, 1/2 IN. |
| 123 | PLAY ABOVE, WITH ABOVE, SEE OBJECT FOR NOTES |

- [illegible]

Drawn By _____ DES
 Date _____ AS NOTED
 Sheet Title
**SECOND FLOOR
 PLAN**
 Sheet No.
A102

	DATE	REMARKS
CO-ORDINATOR DESIGN	09-08-20	
DRAWING ACT	07-10-20	
A.M.A. REVIEW COMMENTS	06-09-20	
A.M.C. REVIEW COMMENTS	06-07-20	
A MASTER STATE OFFICE	02-10-21	
ISSUE DISCUSSION		
DATE		



GST MARCHITECTS

PO BOX 6028 DEPT TOWN HALL
CENTRE ST
MELBOURNE VIC 3001
AUSTRALIA
TEL +61-3-9673-3800 FAX
+61-3-9673-3801
EMAIL GST@GSTMARCHITECTS.COM

GSTM

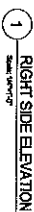
7776 OLD OGDON HORN ROAD
SUITE 700
BETHESDA, MD 20814
O-10330-3800
P-202-330-2621 Fax
WWW.ALTERRAD-ENTERPRISE.COM

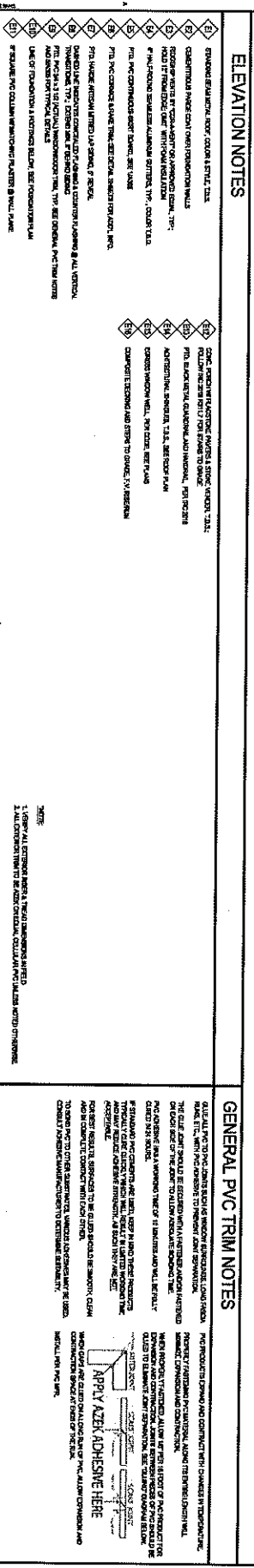
I, with the two persons were
present or present by me, and had
a long business session after the close of
the day of the day, between March 1966
September 20th of 1966.

Project
3515
RAYMOND ST.
CHRY CHUR. MO
Owner
PKK BUILDERS

Date	Description
03-06-98	SOPHOMORE DEBATE
03-11-98	PARENT SIT
04-08-98	A.M.C. REVIEW COMMENTS
05-21-98	M.C. REVIEW COMMENTS
05-27-97	WINTER SUITE OFFICE

Sheet No. **A201**

[illegible][illegible]



**3515
RAYMOND ST.
PKK BUILDERS**

Owner: _____
 Designer: _____

DTM ARCHITECTS

7700 OLD OAKWOOD DRIVE
 WESTMINSTER, CO 80051
 (303) 440-0000
 10000 SHILOH DRIVE
 GREENWOOD VILLAGE, CO 80120

DTM

PROPOSED DESIGN

DESIGN	20-0051
PRELIMINARY	20-0051
FINAL REVIEW/REVISION	20-0051
FINAL REVIEW/REVISION	20-0051
AS NOTED	20-0051

OWNER'S RECORD

AS NOTED	20-0051
AS NOTED	20-0051

DATE DESCRIPTION

DATE	DATE
------	------

DTM PROJECT NO. 20-0051

DTM DRAWING NO. 001

DESIGNED BY DTM

DRAWN BY DTM

AS NOTED

Sheet No.

LEFT SIDE

ELEVATION

Sheet No.

Village Manager

From: Jennifer Saperstein <jhsaperstein@gmail.com>
Sent: Wednesday, April 21, 2021 11:29 AM
To: Village Manager
Cc: Craig Saperstein; Doug Roberts; pkkbuilder@gmail.com
Subject: Re: Variance for 3515 Raymond

Follow Up Flag: Follow up
Flag Status: Flagged

Niles,

Thank you so much! Please just let us know if you need additional information and we'll make sure to get it to you. I appreciate your assistance.

Best,

Jennifer

On Tue, Apr 20, 2021 at 3:57 PM Village Manager <manager@martinsadditions.org> wrote:

Dear Jennifer,

Thank you for following up with me and for our conversation yesterday. Let me share this and the rest of what you submitted to our Doug and I'll follow up with you if there's anything else we might need.

If you have any other questions or concerns, please don't hesitate to reach out to me.

Sincerely,

Niles Anderegg

Village Manager

Village of Martin's Additions

7013 Brookville Road, Suite B (Second Floor)