AGENDA ITEM NO. 5

TECHNICAL STAFF REPORT

TO: City of Laurel Planning Commission

FROM: Monta Burrough, Planner II

CASE: Special Exception Application No. 909
1024 Marton Street
Laurel, MD 20707

GENERAL INFORMATION

APPLICANT: Paul Timmons
12767 SW Lake Fern Circle
Port St. Lucie, Florida 34987

OWNER: Ufuk and Michelle Orhan
1024 Marton Street
Laurel, MD 20707

LOCATION: 1024 Marton Street
Laurel, MD 20707

ZONE: R-55, One Family Detached

REQUESTED ACTION: The Applicant is seeking Special Exception approval to construct an addition that exceeds fifty percent (50%) of the square footage of the exiting main structure, per Ordinance No. 1562. The new addition will be located on the rear of the existing building.

BACKGROUND INFORMATION:

In September 2007, the Mayor and City Council passed Ordinance No. 1562, known as the “McMansions Ordinance.” This Ordinance allows additions on single-family homes where the gross square footage of the addition exceeds fifty percent (50%) of the gross square footage of the existing home only by Special Exception.
The Applicant is seeking Special Exception approval to construct an addition, 16’ x 37’ or 592 square feet, which exceeds seventy-two percent (72%) of the square footage of the existing main structure. The new addition will be located on the rear of the existing house. The property was constructed in 1951 and is zoned R-55, Residential One Family Detached. The purpose of the proposed addition is to expand the house and give more room to the family. The existing structure on the parcel consist of a one-story single-family residence. The single-family residence has a footprint measuring 814 square feet and a gross floor area of 814 square feet.

THE PROPERTY IS SURROUNDED BY THE FOLLOWING ZONING CLASSIFICATIONS:

NORTH: Residential Property zoned R-55, One Family Detached

EAST: Residential Property zoned R-55, One Family Detached

SOUTH: Residential Property zoned R-55, One Family Detached

WEST: Residential Property zoned R-55, One Family Detached

The following Departments and Agencies were notified of the application and comments were requested. Any responses received are written in the chart below.

<table>
<thead>
<tr>
<th>Department of Agency</th>
<th>Comments Received</th>
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</thead>
<tbody>
<tr>
<td>City of Laurel Department of Public Works</td>
<td>Comments are below. (12/02/20)</td>
</tr>
<tr>
<td>City of Laurel Police Chief</td>
<td>No issues with proposal. (12/9/20)</td>
</tr>
<tr>
<td>City of Laurel Department of Parks and Recreation.</td>
<td>No issue with proposal. (12/02/20)</td>
</tr>
<tr>
<td>City of Laurel Building Official and Fire Marshal</td>
<td>Comments are below. (12/2/20)</td>
</tr>
</tbody>
</table>

**Department of Public Works Comments:**

According to the plan, all improvements will be on-site only and will not impact public right-of-way.

“If any roadway closures or public sidewalk closures is needed on a City street, the Applicant must contact this Department for approval prior to the start of work. If any utility cuts are performed on a City Street, the restoration work must follow the City’s standards that require the permanent patches in the cut area with a 2" mill and overlay from curb-to-curb and a minimum of 25-feet in each direction of the cut. The Applicant is responsible for all the damage within the public right-of-way. The scope of the restoration work will be determined by this Department.”
Department of Laurel Building Official and Fire Marshal:

Sec. 18-82.20. - IRC-18, Part2, Chapter 3, Section R313, Automatic Fire Sprinkler Systems, R313.3 - Other Locations Required Automatic Fire Sprinkler Systems.

(a) IRC-18 Section R313.3 is added to read as follows: "Other Locations Required Automatic Fire Sprinkler Systems". Other locations required. Complete fire suppression systems shall be installed and maintained in full operating condition, in compliance with the applicable NFPA Fire Code in the entire dwelling when an addition is added to the existing structure that is greater than fifty (50%) percent of the gross square footage of the existing home.

(b) IRC-18 Section R313.3.1 is added to read as follows: "Other Locations Required Automatic Fire Sprinkler Systems". is added to read as follows: "Sprinklers for Additions." All enclosed or habitable additions to include sunrooms that are conditioned to an existing sprinklered single-family structure or manufactured home must also be sprinklered.( Ord. No. 1952, 2-24-20)

ANAYLSIS:

The Applicant is requesting a Special Exception to expand the footprint of the existing house. The current house footprint is 37’ x 22’ or 814 square feet. The new addition will be 37’ x 16’ or 592 square feet. The new addition will increase the existing footprint by seventy-two percent (72%). The current structure and new addition consist of an extension of the first floor and a new roof over the new addition connected to the existing roof. The new addition will be located on the rear of the house.

The table below summarizes the size of the existing residence, the proposed addition, and the final structure resulting from the addition:

<table>
<thead>
<tr>
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<th>Existing</th>
<th>Addition</th>
<th>Total</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Footprint:</strong></td>
<td>814 SF</td>
<td>592 SF</td>
<td>1,406 SF</td>
<td>72.7%</td>
</tr>
</tbody>
</table>

In addition to the main structure, on the site there is a shed covering 72 square feet and a driveway/parking surface covering 200 square feet. While these features do not factor into the square footage calculations for the main structure, they do impact the analysis of the site in considering building coverage, green area requirements, and setbacks. A summary of this site attributes comparing the requirements of the R-55 zone to the existing and proposed parameters below:

**Zone: R-55**

**Lot Size: 6,294 SF**

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maximum Building Coverage:</strong></td>
<td>1,888 SF (30%)</td>
<td>814 SF (16.9%)</td>
<td>1,406 SF (20.9%)</td>
</tr>
<tr>
<td><strong>Minimum Green Coverage:</strong></td>
<td>4,091.1 SF (65%)</td>
<td>5,181 SF (82.3%)</td>
<td>4,589 SF (72.9%)</td>
</tr>
<tr>
<td><strong>Front Yard Setback:</strong></td>
<td>25 feet</td>
<td>30 feet</td>
<td>30 feet</td>
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<tr>
<td><strong>Side Yard Setback:</strong></td>
<td>8 feet</td>
<td>8’7&quot; feet/ 13’3&quot; feet</td>
<td>8’7&quot; feet/ 13’3&quot; feet</td>
</tr>
<tr>
<td><strong>Rear Yard Setback:</strong></td>
<td>20 feet</td>
<td>55 feet</td>
<td>38 feet</td>
</tr>
<tr>
<td><strong>Maximum Height:</strong></td>
<td>2 1/2 stories</td>
<td>2 1/2 stories</td>
<td>2 1/2 stories</td>
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The impact of the proposed addition to the lot overall is small and well within the parameters required by the Unified Land Development Code.

Below is an overhead of 1024 Marton Street. The blue arrow illustrates the proposed location of the new addition.

The Board of Appeals may grant special exceptions for such periods and for the uses enumerated, and subject to the conditions set forth in this division.

(a) A special exception may be granted when the Board of Appeals, as the case may be, finds from a preponderance of the evidence of record that the proposed use:

1. The proposed use is in harmony with the purpose and intent of the Master Plan, as embodied in this article and in any Master Plan or portion thereof adopted or proposed as part of such Master Plan;

The proposed use is in harmony with the purpose and intent of the Master Plan, such as it relates to public safety and the welfare of the citizens of Laurel. The new addition will provide an opportunity for a citizen of Laurel to stay in the City and the new addition will provide more room, privacy, family circulation and maintain the aesthetics of the surrounding houses. One of the goals of the Master Plan is to continue and maintain families.

2. The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;
The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area. The proposed addition will be accompanied by the installation of a sprinkler system and updated smoke alarms.

(3) Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity;

The proposed addition will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or general neighborhood and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity. The proposed project will increase the value of the property, and the new addition will increase the value of the entire neighborhood. Even though the square footage of the house will increase, the addition will not be visible from the street.

(4) Will not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public improvements; and

The proposal will not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public improvements. Even though the square footage and size of the house will increase, the number of residents will not.

(5) Meets the definition and specific standards set forth elsewhere in this article for such particular use.

The applicant understands the requirements that come with Special Exception Approval and is eager to work with City Staff to ensure compliance.

The Applicant is requesting a Special Exception for the property to be able to construct an addition that exceeds fifty percent (50%) of the square footage of the exiting main structure. In the Unified Land Development Code (Code), Section 20-21.1 and 20-22.34, the Board of Appeals is authorized to grant special exceptions, upon certain findings.

Sec. 20-22.1. - Special provisions

A residential addition may be permitted subject to the following:

(e) Structures to be constructed, reconstructed, or altered pursuant to special exceptions in residential zones shall, whenever practicable, have the exterior appearance of residential buildings of the type otherwise permitted and shall have suitable landscaping, screen planting and fencing wherever deemed necessary by the Board.
The new additions and existing main structure façade color will change to light yellow. The applicant plans to maintain the original appearance of the façade and replicate all of the existing materials in the addition as much as is reasonably possible.

RECOMMENDATION:

Staff recommends that the City of Laurel Planning Commission Recommend Approval to the City of Laurel Board of Appeals for Special Exception No. 909, with the following conditions:

1) The Applicant shall obtain a City of Laurel Building permit prior to construction of the addition.
2) The Applicant shall obtain City of Laurel Electrical Permit.
3) The Applicant shall install a sprinkler system within the home.
4) The Applicant shall obtain a City of Laurel Sprinkler permit.
5) The Applicant shall comply with all federal, state, and local laws and regulations for protection of the use of the property.

ATTACHMENTS:

1) Plat Plan
2) Architectural Drawings

REVIEWED:

Christian L. Pulley
Christian L. Pulley, Director