



For Management use ONLY

**FORM D:
APPLICATION FOR LOFTING**

To: **BOARD OF DIRECTORS
ARCHITECTURAL CONTROL COMMITTEE**

Date: _____

In accordance with the Bylaws of the Council of the Unit Owners of Rock Creek Village Condominium, I/We hereby apply for the written consent to loft the limited common area foot print above our unit.

Unit Owner(s): _____

Home Phone: _____ Work: _____ Mobile: _____

Unit Address: _____

Owner Address: _____

(If different from above)

Please provide the following information:

	<u>Rcvd</u>	<u>Approved</u>
_____ Architectural Drawings of Proposed loft	_____	_____
_____ Provisional Letter of Approval from ACC <i>(Issuance of this letter is strictly for the purpose of obtaining a building permit from local government agency.)</i>	_____	_____

PLEASE SUBMIT THE FOLLOWING:

_____ Copy of Montgomery County Building Permit	_____	_____
_____ Form A: Application for First-Time Appliance Installation <i>(If applicable)</i>	_____	_____
_____ Form B: Application for Structural Improvement <i>(If applicable)</i>	_____	_____
_____ Form C: Application for First-Time Washer/Dryer Installation <i>(If applicable)</i>	_____	_____
_____ ACC (Architectural Control Committee) Approval	_____	_____
_____ RCV Board of Directors – Granting of Easement to Loft <i>(This will commence start of construction)</i>	_____	_____
_____ RCV ACC & Mgmt. review of site for adherence to the approved submission <i>(Submission of copies of county inspection approvals; plumbing, electrical, framing, etc.)</i>	_____	_____
_____ Final Inspection of new loft by ACC & Mgmt. Representative <i>(ACC issuance of Certificate of Compliance)</i>	_____	_____
_____ Easement recordation ion by RCV Board	_____	_____
<i>(Approval by the Board of Directors of the Easement will commence the start of loft fees. Applicants consents to retain the services of RCV's legal counsel to complete and record the Easement.)</i>		
_____ Copy of recordation receipt from legal counsel on Easement	_____	_____

Adopted 4/17/2014



APPLYING TO BUILD A LOFT

INTRODUCTION

If you own a second-floor unit in a two-story building at Rock Creek Village (RCV), you may decide to build a loft that may vary in size from half the square footage of your base unit (mezzanine loft) to one that uses all the space directly above your unit (full loft). A bath may be included in the loft, provided that a new riser pipe is installed. A loft adds substantially to your unit's desirability in exchange for a modest loft fee on top of the standard monthly condo fee to cover the additional utility costs.

THE REQUIRED EASEMENT

The attic space above the second-floor units in two-story buildings is considered part of the condominium's common area. Consequently, because building a loft entails occupying part of that common area, you must first apply for and receive an easement granted by the Board of Directors (BOD) for using and accessing that space. This easement may be granted only for the space directly above the main unit below and may not be used to extend the loft's footprint beyond those boundaries. Following ACC approval, an easement agreement must be submitted in the form approved by the Board of Directors. The Board of Directors records the easement for use and occupancy only after the loft has been constructed and has passed inspection by the Montgomery County Building Permit Office and RCV's Architectural Control Committee (ACC).

SEQUENCE OF STEPS FOR BUILDING A LOFT

Step 1. Have plans drawn by a licensed architect so that they meet the following RCV requirements:

- a) The loft's footprint cannot exceed the boundaries of the unit's floor plan below and cannot encroach on common areas such as stairwells.
- b) If a bath in the loft is planned, the current riser that feeds the water supply to the main level will not suffice, and county code requires a separate riser line to be installed to supply water for the new addition as well as an easement

obtained from the first-floor unit owner. Currently, Montgomery County code permits only shower stalls in lofts; no bathtubs are allowed.

- c) Skylight and plumbing or dryer vents must be at least 32" apart and 3' from the closest change of the roof plane and, if possible, aligned with other skylights and vents on the same roof plane. Dryer and plumbing vents must be the RCV standard, which can be purchased at the office.
- d) Existing 2 x 8 joists under the loft floor must be sistered with 2 x 8's.
- e) Windows must be maintained in a consistent architectural style. The gable ends of attic spaces currently have round windows. In a loft, that existing round window must be replaced by a window of the same dimensions and style (6/6 mullions) as those on the same building side as well as any replacement loft window directly opposite in another building. Brick mold width and setback within the rough opening should also match those of the surrounding windows.
- f) Any heating source permanently installed in the loft must be tied into RCV's existing hot water heating system and should resemble the vector type radiators as closely as possible.
- g) The framing plan must isolate the loft from any unlofted common attic space to retard fire.
- h) All walls forming the loft's perimeter, including those that abut an adjoining unit's loft, must have sheetrock (5/8 fire rated) on both sides, along with full-length insulation, as a fire retardant and sound abatement.

Step 2. Submit architectural plans in full large format to the management office for provisional approval from the ACC. (A full description of the ACC's function appears in a package of condo documents for new owners and may also be obtained upon request.) A Letter of Provisional Approval indicates that the plans meet RCV requirements for exterior appearance and are eligible for an easement. This letter is NOT a building permit, which must be obtained from the county.

Step 3. Once approved by the ACC, the architectural plans and the Letter of Provisional Approval should be submitted to Montgomery County's Building Permit Office for approval and any required permits. The ACC Letter of Provisional Approval assures the permit office that the application is legitimate. A request for a waiver of the county's sprinkler requirement will have to be made at the same time or the county will not approve the application. Please contact the onsite manager for more details about how to have this requirement waived.

Step 4. If Montgomery County approves the plans and waives the sprinkler requirement, both the plans and the waiver must be submitted to the ACC again so that it can grant its approval for construction to begin. If the ACC grants that

approval, you will need to provide the management office copies of the license and insurance information for the general contractor and any sub-contractors you have chosen before any work can begin. Also, you will need to submit an easement agreement for recording in the County land records. The easement agreement is prepared by the condominium's attorney at the owner's expense. Please contact the onsite office to make the necessary arrangements to engage legal counsel.

Please note: When soliciting bids from general contractors, be sure to inform each bidder about the requirement for the 5/8 fire-rated sheetrock on both sides of the loft perimeter walls as this material is more expensive to buy and install.

Step 5. Work on the loft may now begin subject to the following RCV requirements:

- a) All roof cuts must be made by RCV's roofer (Corley Roofing; 301-894-4460), which holds the warranty on RCV roof shingles. Your contractor can contact the office for details.
- b) All appliances such as washers, dryers, dishwashers, large exterior vented microwaves, and overhead fans must be installed in accordance with ACC Forms A and C, which must also be submitted as applicable. All new major appliances must be energy efficient and Energy Star rated with make, model, and specification sheets included. All washers must have an emergency drain pan for installation above the first floor.
- c) All kitchen and bath plugs within 3' of a basin or tub must be GFI (ground fault interrupter) and all plugs in a kitchen or bath should be wired for a three-prong separate grounded outlet even if a GFI is not required. (The same requirements apply to renovating the kitchen and bath on the main level.) The original and post-conversion to condominium wiring can otherwise be left as is. The loft itself will have a new separate feed from the unit panel box as required by Montgomery County electric code.
- d) The loft construction will be subject to periodic inspection from the RCV onsite manager and ACC to catch any deviation from approved plans as early as possible.
- e) Permitted work hours are 8:30 a.m. to 5:00 p.m. weekdays and 9:00 a.m. to 3:00 p.m. weekends and holidays.
- f) All construction trash must be disposed of separately by the contractor or owner. RCV does not dispose of construction debris and at no time can such trash be left overnight anywhere in the condominium's common area, including its trash enclosures.

Step 6. Once all work on the loft has been completed, has passed Montgomery County's framing, electrical, and plumbing inspections and has received a Certificate

of Occupancy, notify the RCV management office and provide copies of all county-issued documents. The ACC will inspect the new loft to verify that all work has been completed according to the original approved plans and any subsequent changes the ACC and management office require during the course of construction. The ACC will issue a Certificate of Compliance if everything is in order. This certificate will be presented to the BOD as verification it may grant an easement for the loft and adjust the owner's account to include a loft fee in accordance with the approved fiscal budget.

Step 7. It is understood by the unit owner that all necessary documentation to grant easement for use of the new addition will be drafted including all recordation fees and all other associated costs by the association's attorney at the unit owner's expense.