



**Agenda for Meeting 03-2026**  
**CITY OF ROCKVILLE BOARD OF APPEALS**

Alan Frankle, Chair  
Roy Deitchman  
Jimmy Hauer

**Wednesday, June 17, 2026**

**7:00 p.m.**

**Rockville City Hall**  
**111 Maryland Avenue**  
**Or Virtually via WebEx**

*Watch LIVE on Comcast Cable Rockville Channel  
11 and online at <https://www.rockvillemd.gov/>  
See page 3 for hearing procedures*

Jim Wasilak, Chief of Zoning  
Nicholas Dumais, Senior Assistant City Attorney

*Board of Appeals Agendas and Staff Reports are available online at:  
<http://www.rockvillemd.gov/AgendaCenter/Board-of-Appeals-7>*

**I. PUBLIC HEARING**

- A. Variance Application 2026-350-VAR:** The applicant requests zoning variances from the setback requirements of the R-60 Zone to permit a second-floor addition to an existing shed in the rear yard at 1911 Gainsboro Road; Imelda Paulines, Applicant. Planner: Chris Davis, 240-314-8201.

**II. COMMISSION ITEMS**

**A. OLD BUSINESS**

**B. NEW BUSINESS**

**C. MINUTES**

1. May 20, 2026

## **D. ADJOURNMENT**

### **HYBRID MEETING AND PUBLIC HEARING PROCEDURE**

The Board of Appeals will be meeting in person in the Mayor and Council Chamber at Rockville City Hall. The public is invited to participate in person or virtually via Webex. Anyone wishing to participate virtually may do so per the instructions below. Persons who provide testimony provided will be required to be sworn in, and that the testimony provided will be truthful.

#### **I. Meeting Platform: WebEx**

- A. Applicant Access:** Provided by CPDS/IT
- B. Access for Oral Testimony and Comment:** Provided by CPDS/IT
- C.** If during the hearing a party wishes to make additional comment or to specifically request the opportunity to engage in cross-examination following specific testimony, the party must contact the Host by email at [jwasilak@rockvillemd.gov](mailto:jwasilak@rockvillemd.gov) with the specific request. The Host will inform the Board. The Board, in its sole discretion, will determine if the party may be heard.

#### **II. Pre-Meeting Preparations/Requirements:**

##### **A. Written Testimony and Exhibits –**

Written testimony and exhibits may be submitted by email to Jim Wasilak, Staff Liaison to the Board of Appeals, at [jwasilak@rockvillemd.gov](mailto:jwasilak@rockvillemd.gov), or by mail, and must be received no later than eight (8) days in advance of the hearing.

##### **B. WebEx Orientation for Applicants –**

Applicants must contact the planning case manager assigned to the Application no later than five (5) days in advance of the hearing in order to schedule WebEx orientation, which must be completed prior to the hearing.

##### **C. Oral Testimony –**

i. Applicants – Applicants must provide to Community Planning and Development Services (“CPDS”) Staff a list of presenters and witnesses who will testify on behalf of the Application. The list must be provided to CPDS Staff no later than five (5) days prior to the date of the hearing.

Testimony/Comment in favor of an Application – Any member of the public who wishes to comment in favor of an Application must submit their name to CPDS Staff no later than two (2) days in advance of the hearing to be placed on the testimony list. If a member of the public is unable to meet the deadline to be placed on the testimony list, they can submit

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written testimony to the Staff Liaison to the Board of Appeals, at [jwasilak@rockvillemd.gov](mailto:jwasilak@rockvillemd.gov) by 12:00 p.m. on the date of the hearing.

ii. Testimony/Comment opposing an Application – Any member of the public who wishes to comment in opposition to an Application must submit their name to CPDS Staff no later than two (2) days in advance of the hearing to be placed on the testimony list. If a member of the public is unable to meet the deadline to be placed on the testimony list, they can submit written testimony to the Staff Liaison to the Board of Appeals, at [jwasilak@rockvillemd.gov](mailto:jwasilak@rockvillemd.gov) by 12:00 p.m. on the date of the hearing.

### **III. Conduct of Online Meeting and Public Hearing:**

The Meeting and Public Hearing will be held in accord with the Board of Appeals Rules of Procedure.

The Board of Appeals, at its discretion, reserves the right to continue the hearing until another date.

#### **A. Public Hearing**

- i. Staff presentation or report and recommendation.
- ii. Testimony of representative of other Board or Commission, if any – limited to ten (10) minutes each.
- iii. Applicant presentation in support of the Application – limited to fifteen (15) minutes.
- iv. Testimony in favor of the Application – The Board will sequentially recognize each person on the support testimony list and ask the host to allow the speaker to speak. Each speaker must wait to be specifically recognized by the Board before speaking. Testimony is limited to three (3) minutes for each individual and limited to five (5) minutes for each civic association.
- v. Testimony in opposition to the Application – The Board will sequentially recognize each person on the opposition testimony list and ask the host to allow the speaker to speak. Each speaker must wait to be specifically recognized by the Board before speaking. Testimony is limited to three (3) minutes for each individual and limited to five (5) minutes for each civic association.
- vi. Rebuttal testimony of the Applicant – limited to ten (10) minutes.
- vii. Additional comment, if any, on the Application – The Board will ask if there is any further comment. Any participant seeking to provide additional comment may ask to speak at this time and must do so by emailing the Host at [jwasilak@rockvillemd.gov](mailto:jwasilak@rockvillemd.gov). The Host will inform the Board if there are previous participants who wish to provide additional comment and list each speaker by name. The Board will sequentially recognize each speaker

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and ask the Host to allow the speaker to speak. Each speaker must wait to be specifically recognized by the Board before speaking. Additional comment is limited to three (3) minutes each.

viii. Applicant closing argument, if any – limited to five (5) minutes each.

ix. Board Discussion and Decision

## **HELPFUL INFORMATION FOR STAKEHOLDERS AND APPLICANTS**

### **I. FUTURE MEETING DATES (Tentative Dates to be Approved by the Board of Appeals)**

- July 15, 2026
- September 16, 2026
- October 21, 2026
- November 18, 2026
- December 16, 2026
- January 20, 2027
- February 18, 2027

### **II. NEW DEVELOPMENT APPLICATIONS**

For a complete list of all applications on file, visit: [www.rockvillemd.gov/DevelopmentWatch](http://www.rockvillemd.gov/DevelopmentWatch)

Maryland law and the Board of Appeals' Rules of Procedure regarding ex parte (extra record) communication require all discussion, review, and consideration of this matter take place only during the Board's consideration of the item at a scheduled meeting. Telephone calls and meetings with Board members in advance of the meeting are not permitted. Written communication will be directed to appropriate staff members for response and included in briefing materials for all members of the Board.



**Board of Appeals Staff Report  
Variance Application 2026-350-VAR**

**MEETING DATE:** June 17, 2026

**REPORT DATE:** June 10, 2026

**FROM:** Christopher Davis, Principal Planner  
Community Planning and  
Development Services  
240.314.8201  
[cdavis@rockvillemd.gov](mailto:cdavis@rockvillemd.gov)

**APPLICATION DESCRIPTION:** Zoning variances are requested from the setback requirements for accessory buildings in the R-60 Zone to allow for a 2<sup>nd</sup>-story addition to an existing shed at 1911 Gainsboro Road.

**APPLICANT:** Imelda Paulines  
1911 Gainsboro Road  
Rockville, MD 20851

**FILING DATE:** May 8, 2026

**RECOMMENDATION:** Denial, for the reasons indicated in this staff report.

**EXECUTIVE SUMMARY:** Imelda Paulines, property owner (also known as the “Applicant”), is requesting zoning variances in order to allow an expansion of an existing shed at 1911 Gainsboro Road (the “Property”). The Applicant is requesting the variances from Section 25.09.03.a.1 (Table of Development Standards for Residential Accessory Buildings and Structures) of the Zoning Ordinance (the



“Ordinance”) to allow a side yard setback of 4 feet and a rear yard setback 4 feet, both in lieu of the required 12 feet in the R-60 zone to permit an expanded two-story, 18-foot-tall shed in the rear yard of the Property.

## **Background**

**Location:** 1911 Gainsboro Road (the “Property”)

**Applicant:** Imelda Paulines

**Zoning District:** R-60 (Single Unit Detached Dwelling, Residential)

**Existing Use:** Single Family Residential – Detached Dwelling

**Parcel Area:** 6,300 sq. ft. per SDAT info.

**Building Floor Area:** 1,856 sq. ft. (above grade) per SDAT info.

**Dwelling Units:** One (1) Existing Single - Family Detached Dwelling

## **Vicinity**

<b>Surrounding Land Use and Zoning</b>			
<b>Location</b>	<b>Zoning</b>	<b>Planned Land Use</b>	<b>Existing Use</b>
<b>North</b>	R-60	Residential Detached	Single Unit Detached Dwelling
<b>East</b>	R-60	Residential Detached	Single Unit Detached Dwelling
<b>South</b>	R-60	Residential Detached	Single Unit Detached Dwelling
<b>West</b>	R-60	Residential Detached	Single Unit Detached Dwelling

## **Site Description**

The Property is located on the west side of Gainsboro Road approximately 335 feet north of its intersection with Halsey Road in Planning Area 8, corresponding to the Twinbrook and Twinbrook Forest areas in the *Rockville 2040 Comprehensive Plan*. The Property is improved with a one-story, single-family detached dwelling, constructed in 1953 according to SDAT. The front and rear yard areas are accompanied by landscaping and tree plantings on a downward sloping property from front to rear. Vehicular access is provided to the Property via an existing driveway from

Gainsboro Road. The Property is a single record lot known as Lot 16 of Block L found on a plat of subdivision entitled "Section Two, Rockland," Plat No. 3105 within the Land Records of Montgomery County, Maryland. The lot is approximately 6,300 square feet in total area.

As shown on the Applicant's submitted site plan, the dwelling is situated relatively central toward the front half of the Property similar to other dwellings on Gainsboro Road.



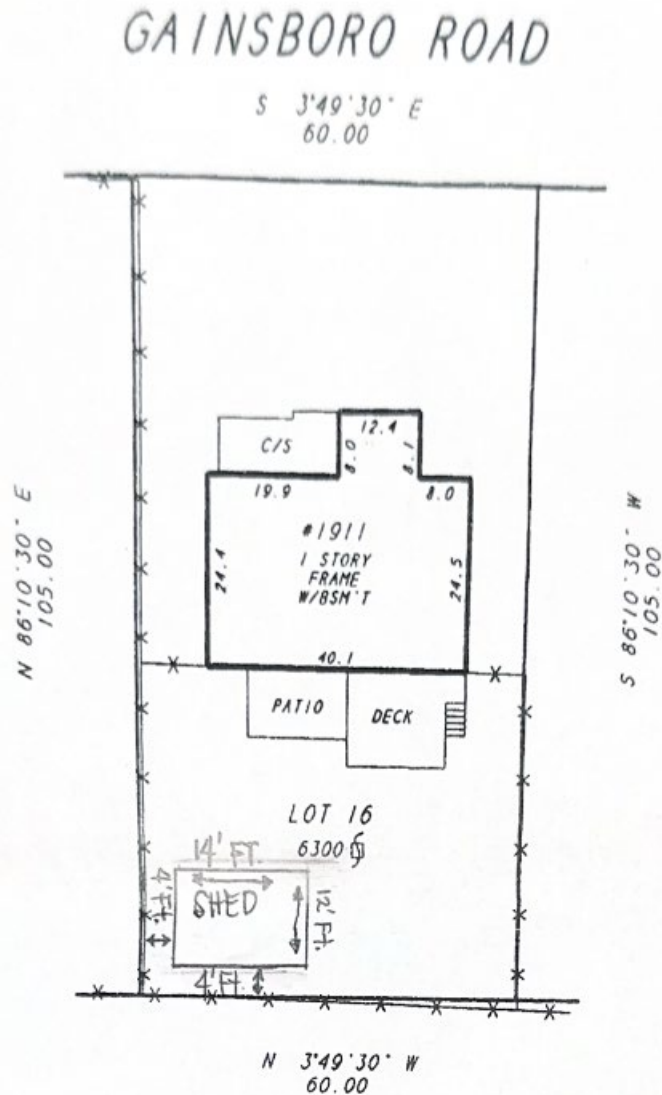
*Street view of the Property circa 2022 (Source: Google)*

## **PROJECT PROPOSAL**

The Applicant has expanded an existing 12-foot x 14-foot shed in the rear yard from a one-story to a two-story building. According to the Applicant's submitted information, the shed is approximately 18-feet tall and has been constructed to allow for additional household storage space, and specifically for the property owner's large plant collection. The Applicant indicates that the second-story addition will allow an increased use of the Property by providing additional storage area, given the modest size of the existing 1,856 square foot home. The second-story addition was constructed without a building permit. The Applicant must receive approval of the requested variance to permit the shed to remain as constructed in its current location and at its constructed height.

## COMMUNITY OUTREACH

Public notification of the pending application, including sign posting, and written notification, was made pursuant to the requirements of Section 25.06.03.c. (Public notification of pending application) of the Ordinance. No calls of inquiry have been received as of the date of this report, and one email opposing the application has been received. The neighboring property owner at 1909 Gainsboro Road has provided a letter expressing no opposition to the applicant's request.



Proposed Site Plan (provided by Applicant)

## REQUESTED VARIANCE

The Applicant has requested a variance from Section 25.09.03.a.1 (Table of Development Standards for Residential Accessory Buildings and Structures) for the side and rear yard setback

requirements of 12 feet in the R-60 zone to permit a 2-story, 18-foot-tall shed in the rear yard of the Property. Accessory buildings are limited to a base height requirement of 12 feet and must maintain minimum rear and side yard setbacks of 3 feet. Section 25.09.03.a.2.(a) permits accessory buildings to be greater than 12-feet-high but must also provide 3 feet in additional setback for each additional foot (or any portion thereof) of building height up to 15 feet. Accessory buildings may exceed 15 feet in height up to 20 feet with no further additional setback beyond 12', as detailed in the table below.

**Select Standards for Residential Accessory Buildings**

Building Height	Setbacks
≤ 12 feet (Base)	3 feet (Base)
>12-13 feet	6 feet
>13-14 feet	9 feet
>14-20 feet	12 feet

Given the existing building height, the shed addition and its location as shown on the applicant’s site plan is prohibited without the granting of a variance. The Applicant requests a side yard setback of 4 feet and a rear yard setback of 4 feet, representing variances of 8 feet for either setback.

**APPLICABLE SECTIONS OF THE ZONING ORDINANCE**

Per Section 25.03.02 of the Ordinance, the term variance is defined as a “modification only of density, bulk, or area requirements in the Zoning Ordinance, where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property, and not the result of any action taken by the Applicant, a literal enforcement of this Chapter would result in practical difficulty.”

**FINDINGS & STAFF ANALYSIS**

In accordance with Section 25.06.03.e. of the Ordinance, a variance may be granted by the Board of Appeals if it finds that:

- 1) *The variance as requested would not be contrary to the public interest.*

Staff finds that the requested variance would be contrary to the public interest.

From staff’s observations, accessory buildings such as sheds are common elements that can be found on surrounding properties and generally within the Twinbrook neighborhood. However, the majority of such structures are typically modest in size being a few hundred square feet in footprint and mostly one-story in height. The Zoning Ordinance allows flexibility in height for accessory buildings when implemented with additional setbacks for taller structures. Sec. 25.09.01 highlights the intents of accessory uses, such as being clearly

incidental and subordinate to a legally established principal use and not creating a nuisance or hazard to surrounding properties. While not having as large of a footprint as the principal dwelling, photos of the completed structure appear to depict the accessory structure at nearly an equivalent height as the main dwelling. This massing along with the shallow setbacks requested presents challenges to whether the structure is clearly subordinate to the principal use. The topography of the Property slopes downward approximately 8 feet from front to rear. The slope continues downward onto adjacent rear properties (1904, 1906 & 1908 Henry Road) another 4 feet in their rear yards. Given the changes in topography, combined with the requested height of the shed and its relatively shallow setback from the rear property line, such factors can create the effect of the shed “towering” over adjacent properties, relative to more typical one-story structures that may be located at the minimum rear yard setback of 3 feet. Even with an installed 6-foot-tall perimeter fence screening a portion of the shed from surrounding properties, the height and the reduced setbacks create a greater observed impact to neighboring properties.



*Photo of the constructed shed addition on the Property (provided by Applicant)*

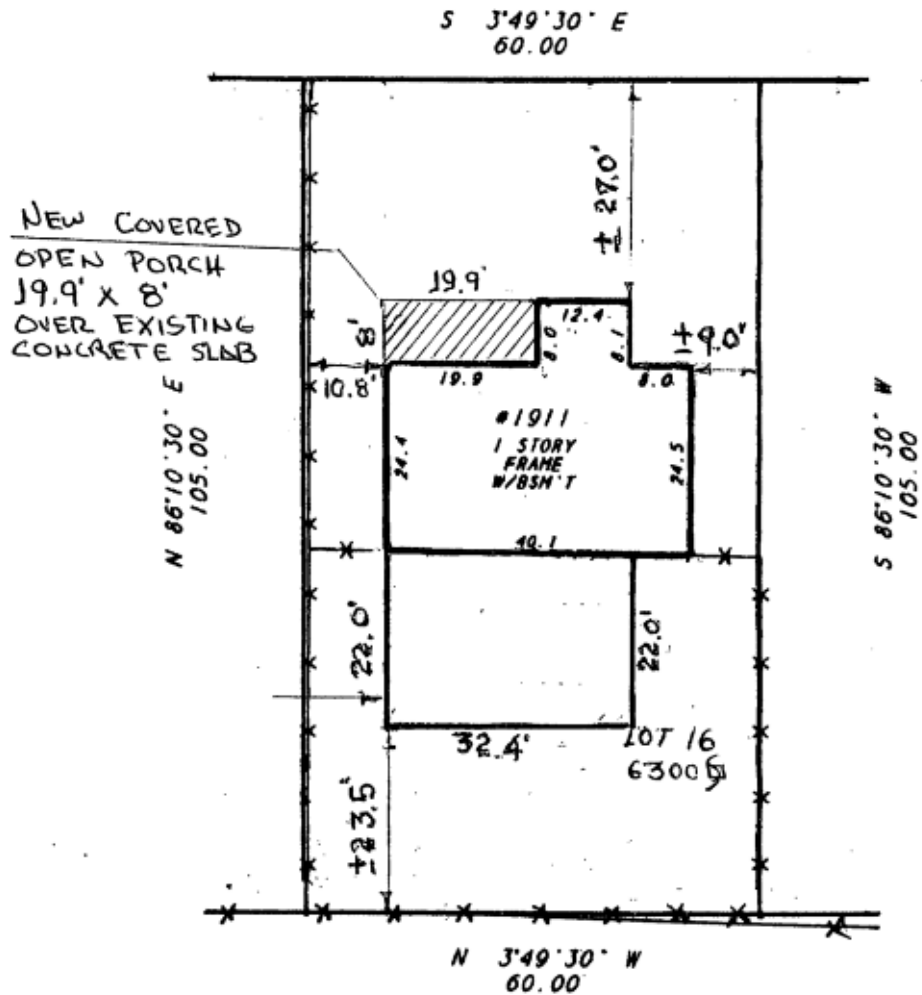
- 2) *The request for the variance is the result of conditions peculiar to the property and not the result of any action taken by the applicant.*

Staff finds that the request variances are not the result of conditions peculiar to the property and are the result of the Applicant's implemented design for improvements to the property.

The variance process is designed to provide accommodations where a property's inherent physical conditions and intrinsic characteristics render compliance with the code difficult. Maryland law has established that the first and most important requirement for variances is that they are the result of conditions peculiar or unique to the property. Upon determining that a variance application cannot meet this finding, the review should end, and the variance should be denied. In determining peculiar conditions unique to the Property, staff has not found any components of the property which, in and of itself, are unique and unusual in a manner that is different from surrounding properties which would disproportionately impact the Property from complying with the Zoning Ordinance. The Property has a typical rectangular lot shape and is sized at 6,300 square feet, a common dimension for property sizes in the neighborhood and in the R-60 Zone. Furthermore, there is no evidence of any easement or property features that would constrain the project from meeting the Zoning Ordinance. While the Property does exhibit some variation in topography, such changes in grade are also observed on neighboring properties and do not appear to be a unique condition which would disproportionately impact the Property distinctively.

Staff's analysis of the information presented by the Applicant yield that the variances requested are the result of the Applicant's design choices in constructing the shed addition without observance of the required zoning setbacks in conjunction with the constructed building height and are not due to some peculiar constraint inherent to the Property. The Applicant indicates that the Property is constrained by the 1953 original placement of the dwelling, which leaves inadequate area to meet the required setback requirements and adds that moving the shed is infeasible due to the location of the home and the narrow separation currently left to the home. However, Staff has determined that challenges to meet the 12-foot setback requirement are driven primarily by the Applicant's choice to construct an extensive 18-foot-tall shed in its current location; a shorter shed at 12 feet would be permissible with the existing 4-foot setback. It should also be noted that SDAT shows that the Applicant has been owner of the Property since 2000. In 2012, the Applicant completed an addition to the dwelling (BLD2012-17219) which appears to have been a rear addition to the original 1953 structure. Such addition appears to have reduced the original rear yard area. City records also show that a permit was submitted for a covered front porch in 2013 (BLD2013-18471). The site survey included with that permit depicts the rear addition and is shown below.

# GAINSBORO ROAD



2013 site survey showing the rear addition to the dwelling (Source: City of Rockville)

Such rear yard area may have been considered by the Applicant for a code-compliant shed addition which may have met the required setbacks, in lieu of the rear addition. Staff does not believe that building placement, nor any additions thereto, are inherent occurrences which can be justified as peculiar conditions to the Property. Staff believes that in review of this particular request that there may be alternative storage options available to the Applicant, such as installation of an additional one-story shed in a compliant location in lieu of a 2<sup>nd</sup>-story shed addition or relocating the building to potentially require a lesser setback variance. Therefore, staff finds that the variances are the result of actions taken by the Applicant rather than peculiarities of the Property.



*Aerial imagery of the Property in 2011 (Source: City of Rockville GIS)*



*Aerial imagery of the Property in 2014 with rear addition (Source: City of Rockville GIS)*

3) *Literal application of this Chapter would result in practical difficulty;*

Strict enforcement of this Chapter would require a shift in the shed placement to satisfy the minimum spacing of 12 feet from the rear and side property lines or a reduction in the height of the shed from 18 feet to a maximum of 12 feet. The Applicant indicates that strict adherence to the required setbacks would deprive the owner of reasonable use of the Property. However, as previously indicated, the Property does not appear to be constrained by any inherent physical properties other than the placement of improvements which have been completed to the dwelling and alternative options may be possible for the Applicant to achieve the desired storage or consider a lesser variance. While a literal enforcement of the Ordinance may result in practical difficulty to the Applicant's constructed design, this finding alone is not enough to grant the variance. All other findings must be met.

4) *The granting of the variances is not inconsistent with the purpose of the Zoning Ordinance.*

The Ordinance provides for variances as a way to accommodate properties where peculiar conditions are an obstacle to development contemplated by the regulations. However, the Ordinance also guides the placement of accessory buildings in order to provide sufficient separation from neighboring properties. While an accessory shed would not be inconsistent with the uses anticipated on this Property by the Zoning Ordinance, the Applicant has not demonstrated why code-compliant alternatives are not achievable for further use of the Property.

In accordance with Sec.25.06.03.a. of the Ordinance "variances may be granted by the Board of Appeals from the strict application of density, bulk, or area requirements of the development standards set forth in this chapter, or more specifically in the subject case those found under Sec.25.10.05.a. and 25.14.03.b.2."

Granting the variance would be contrary to the purposes of the Ordinance because the specific relief is necessitated by the Applicant's design and as-built construction rather than physical peculiarities specific to the Property. Since criteria for the granting of the variances has not been met, approval of such variances would be inconsistent with the intent and purpose of the Ordinance to provide means for remedy when there is a peculiar condition that prevents the property from being developed consistent with surrounding properties. Additionally, several long-standing purposes of the Ordinance include:

- Ensure that development occurs in an orderly fashion consistent with the master plan (the "plan");
- Securing the public safety
- Providing adequate light and air

To implement the purposes mentioned above and further stated in the Ordinance, the city has established certain regulations on building and development such as maximum height, minimum setbacks and maximum lot coverage requirements among others to ensure that the building and properties can be safely accessed while also allowing safe access, use, light and air. The variance process allows relief from such requirements when specific criteria and findings are met. The granting of the subject variances to provide alternative setbacks without meeting the required findings further limits the implementation of the above-mentioned purposes and would be inconsistent with the goals of the Zoning Ordinance to provide relief for a qualified unique property which may be disproportionately impacted by the requirements of the Ordinance.

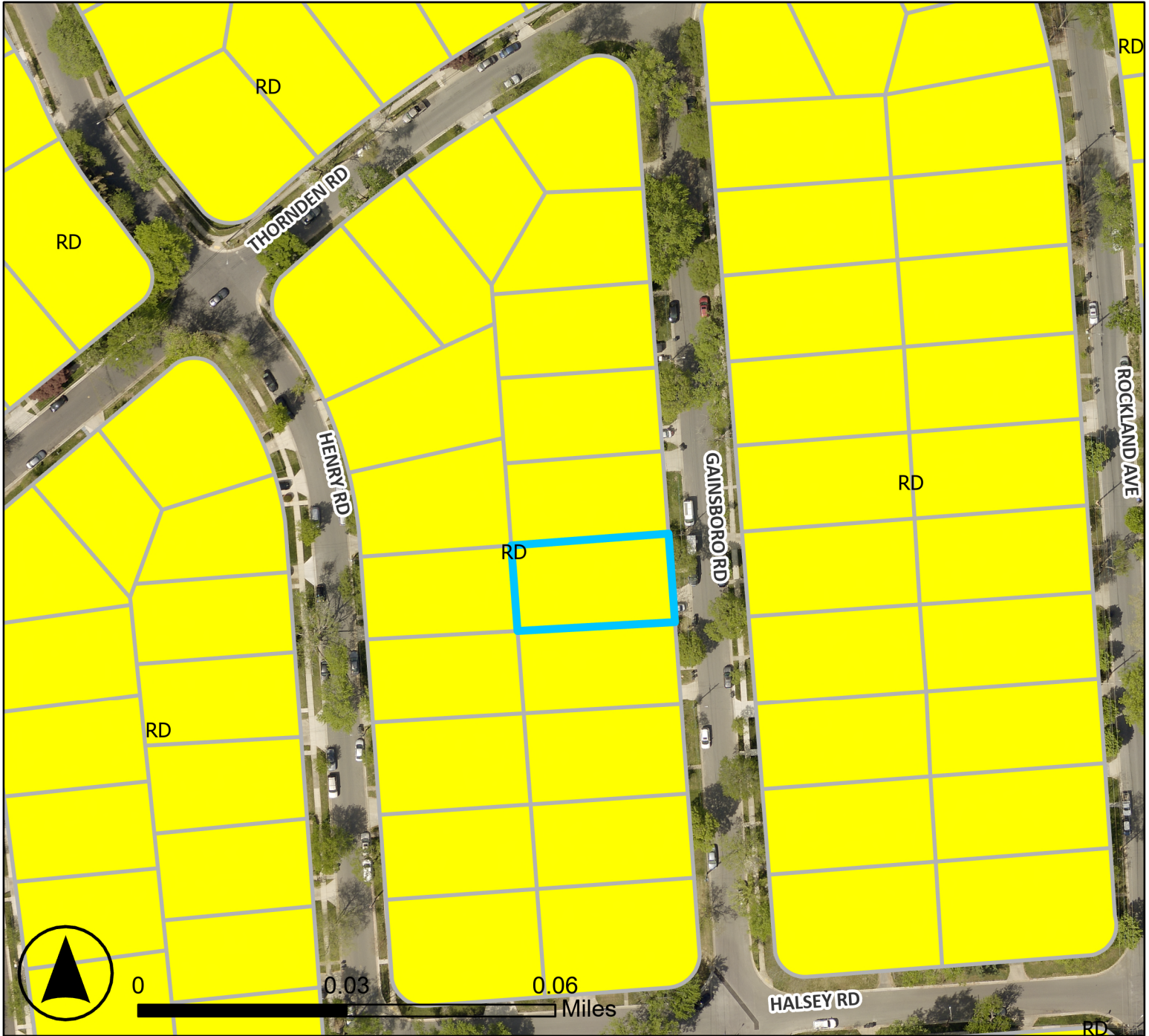
**STAFF RECOMMENDATION:**

Based on the information provided and factors specific to the subject request, staff recommends denial of the requested variances to allow a side yard setback of 4 feet and a rear yard setback of 4 feet, both in lieu of the required 12 feet (representing variances of 8 feet), for the construction of an 18-foot-tall shed addition in the rear yard of the Property.


**ATTACHMENTS:**

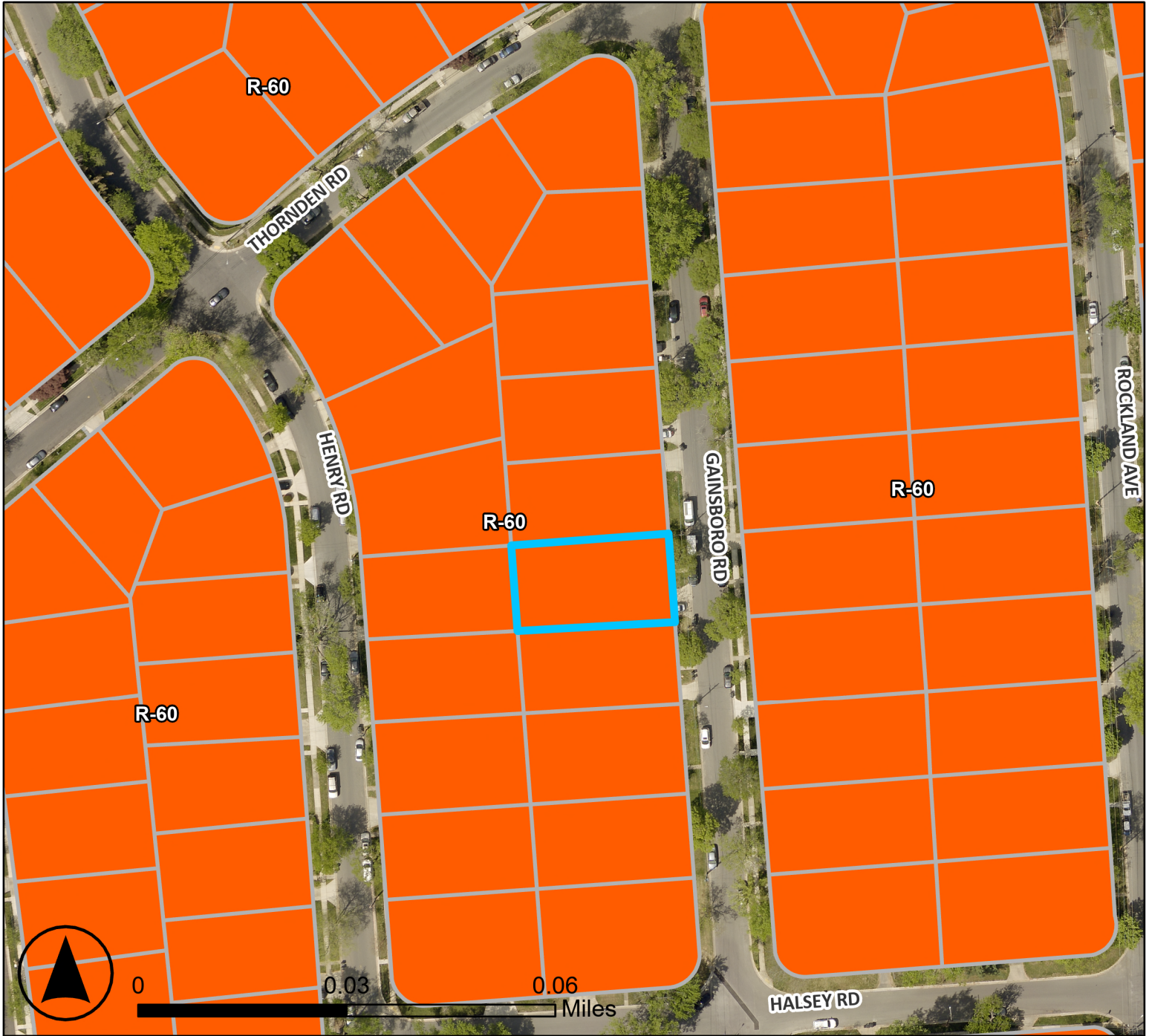
- Exhibit 1 – Aerial Map
- Exhibit 2 – Planned Land Use Map
- Exhibit 3 - Zoning Map
- Exhibit 4 - Application Materials







### Legend

- |  |  |  |  |
|--|--|--|--|
|  Rockville City Limits               |  CRM - Commercial and Residential Mix     |  P - Park                       |  RO - Residential and/or Office               |
|  Subject Property                    |  I - Private Institution                  |  RA - Residential Attached      |  SI - Service Industrial                      |
| <b>Land Uses</b>   |  O - Office                               |  RD - Residential Detached      |  SRM - Service Industrial and Residential Mix |
|  C - Commercial                      |  OCRM - Office/Commercial/Residential Mix |  RF - Residential Flexible      |  <all other values>                           |
|  CI - Civic and Public Institutional |  OSP - Open Space                         |  RM - Residential Multiple Unit |  1911 Gainsboro Road                          |




### Legend

 Rockville City Limits  
 Subject Property

#### Zoning Districts

 R-400 - Residential Estate  
 R-200 - Suburban Residential  
 R-150 - Low Density Residential

 R-90 - Single Unit Detached Dwelling, Restricted Residential  
 R-75 - Single Unit Detached Dwelling, Residential  
 R-60 - Single Unit Detached Dwelling, Residential  
 R-40 - Single Unit Semi-detached Dwelling, Residential

 RMD-Infill - Residential Medium Density, Infill  
 RMD-10 - Residential Medium Density  
 RMD-15 - Residential Medium Density  
 RMD-25 - Residential Medium Density  
 PD - Planned Development

 MXB - Mixed-Use Business  
 MXC - Mixed-Use Commercial  
 MXCT - Mixed-Use Corridor Transition  
 MXCD - Mixed-Use Corridor District  
 MXE - Mixed-Use Employment

 MXNC - Mixed-Use Neighborhood Commercial  
 MXT - Mixed-Use Transition  
 MXTD - Mixed-Use Transit District  
 PARK - Park Zone  
 IL - Light Industrial  
 1911 Gainsboro Road



# Rockville Variance

Submitted by:  
Imelda Paulines

Online Request #: 3389359

Project #: 2026-350-VAR

Location: **1911 GAINSBORO RD**

City: **ROCKVILLE** State: **MD** Zip: **20851**

## Contact Information

### Applicant's Contact Information

Title: First Name: **Imelda** Last Name: **Paulines** Suffix:

Business Name:

Mailing Address: **1911 Gainsboro Rd**

City: **Rockville** State: **MD** Zip: **20851**

### Property Owner's Contact Information

Title: First Name: **Imelda** Last Name: **Paulines** Suffix:

Business Name: **N/A**

Mailing Address: **1911 Gainsboro Rd**

City: **Rockville** State: **MD** Zip: **20851**

### Architect's Contact Information

Title: First Name: **\_** Last Name: Suffix:

Business Name:

Mailing Address:

City: State: **\_** Zip:



You can complete this application and view updates online at [MGO Connect](#)

### Attorney's Contact Information

Title: \_\_\_\_\_ First Name: \_ Last Name: \_\_\_\_\_ Suffix: \_\_\_\_\_

Business Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_ Zip: \_\_\_\_\_

### Engineer's Contact Information

Title: \_\_\_\_\_ First Name: \_ Last Name: \_\_\_\_\_ Suffix: \_\_\_\_\_

Business Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_ Zip: \_\_\_\_\_

### Other Associated People's Contact Information

Title: \_\_\_\_\_ First Name: \_ Last Name: \_\_\_\_\_ Suffix: \_\_\_\_\_

Business Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_ Zip: \_\_\_\_\_

### Application Questionnaire (\* denotes required question)

#### Variance

**Subdivision** Rockland

**Lot(s)** 16

**Block** L

**Zoning** R-60 single unit Detached Residential



You can complete this application and view updates online at [MGO Connect](#)

**Acknowledgment: \***

A letter of authorization from the owner must be submitted if this application is filed by anyone other than the owner.

I hereby certify that I have the authority to make this application, that the application is complete and correct and that I have read and understand all procedures for filing this application.

**Project Description \***

For Example, "Proposal to construct a 182-unit condominium and associated infrastructure on the southern portion of the property"

Second Floor Storage / Shed for Plants

**INSPECTION OF THE PROPERTY \***

City staff must be given the opportunity to physically inspect the subject property to help them reach a decision on the application. This opportunity must be granted provided that reasonable notice is given for said inspection.

72620

**HEARING/MEETING APPEARANCE \***

Once the application is complete, staff will set a tentative date for a public hearing by the Historic District Commission. Meetings of the Commission are typically held on the third Thursday of the month at 7:00 p.m. The applicant, or a representative designated by the applicant, should be prepared to present and/or answer questions from the Historic District Commission. The applicant will have the opportunity to ask questions and respond to comments at the public hearing. HDC decisions may be appealed to the Circuit Court of Montgomery County.

72621

**FILING DEADLINES \***

Applications are due five weeks preceding the regularly scheduled HDC meeting. Click [HERE](#) to see the schedule of filing deadlines.

72622

**PUBLIC NOTICE SIGN \***

Two (2) weeks prior to the meeting, a public notice yard sign, which must be posted on the property announcing the HDC public hearing, will be provided to you by City staff. After the HDC meeting, the sign must be removed.

72623

**Size of Property \***

In acres

6300 square feet



You can complete this application and view updates online at [MGO Connect](#)

**From what zoning ordinance requirement is the variance being requested?**

Accessory Building Setback and Heights Requirement found in Section 25.09.03 of the City of Zoning Ordinance

**Please describe the exact amount of variance(s) requested in feet or inches.**

Total variance request : 12 feet wide x 14 feet long. Structure height approximately 16-18 feet (2 stories) current setback : 4 feet from side of property line required setback 15 feet per section 25.09.03 for heights exceeding 12 feet. Variance requested is 11 feet of relief from the real setback.

**Explain why the granting of the variance is necessitated by conditions unique to the property.**

Property is uniquely constrained by the 1953 placement of the primary residence, which leaves only a 10 foot total gap between the house and the side property line. It is physically impossible to meet the 15 feet setback requirement because the structure would have to be located inside the foot print of the home. Existing shed foundation was established long time ago, moving it no feasible due to the location of the house only 6 feet away.

**Explain why the granting of the variance will not be contrary to the public interest or injurious to the neighborhood.**

The variance is not injurious to the neighborhood. The 4 foot gap remains sufficient for maintenance and drainage or local eco system on environment impact. The structure is used for quiet storage and plants, preserving the residential character. The windows are designed for natural plant light and do not overlook the neighbors private area. The neighbor most affected is 1909 Gainsboro Rd Rockville, is aware of the structure is used and does not object to its placement. Variance requested won't create excessive noise or traffic congestion considering the quality of life.



You can complete this application and view updates online at [MGO Connect](#)

**Explain why not granting the variance would result in practical difficulty in the use of the property.**

Strict adherence to the 15 foot setback would deprive the owner of the reasonable use of the side yard for storage and gardening. Property is irregular shape narrow and slopes. There is no other location on the property that can accommodate this structure while remaining compliant with current bulk regulations. Requiring the removal of the second story would result in an undue hardship for a lot that cannot physically expand to meet modern heights setback formulas.

**Explain why the approval of the variance is not inconsistent with the purposes of the zoning ordinance.**

Approval of this variance is not inconsistent with the purpose of the zoning ordinance because it upholds the core intent of the law. Safety, privacy and reasonable use even though the technical setback cannot be met. So, accommodating physical impossibility created by the property's narrow 10 foot side yard. By preserving a 4 foot separation, the structure remains safe and accessible without infringing on the neighbors privacy or neighborhood's character.

**Was there a Pre-Submission Meeting? \***

Yes

**When was the Pre-Submission meeting? \***

03/05/2026

## **Documents Uploaded**

The following documents are attached to the Application.

**A site plan showing how the variance will affect the surrounding properties**    **1911 gainsboro rd. site plan.pdf**

**property survey .pdf**



You can complete this application and view updates online at [MGO Connect](#)

**Other Files**

**inspection report .pdf**

**img\_5568.pdf**

**img\_5566.pdf**

**img\_5567.pdf**

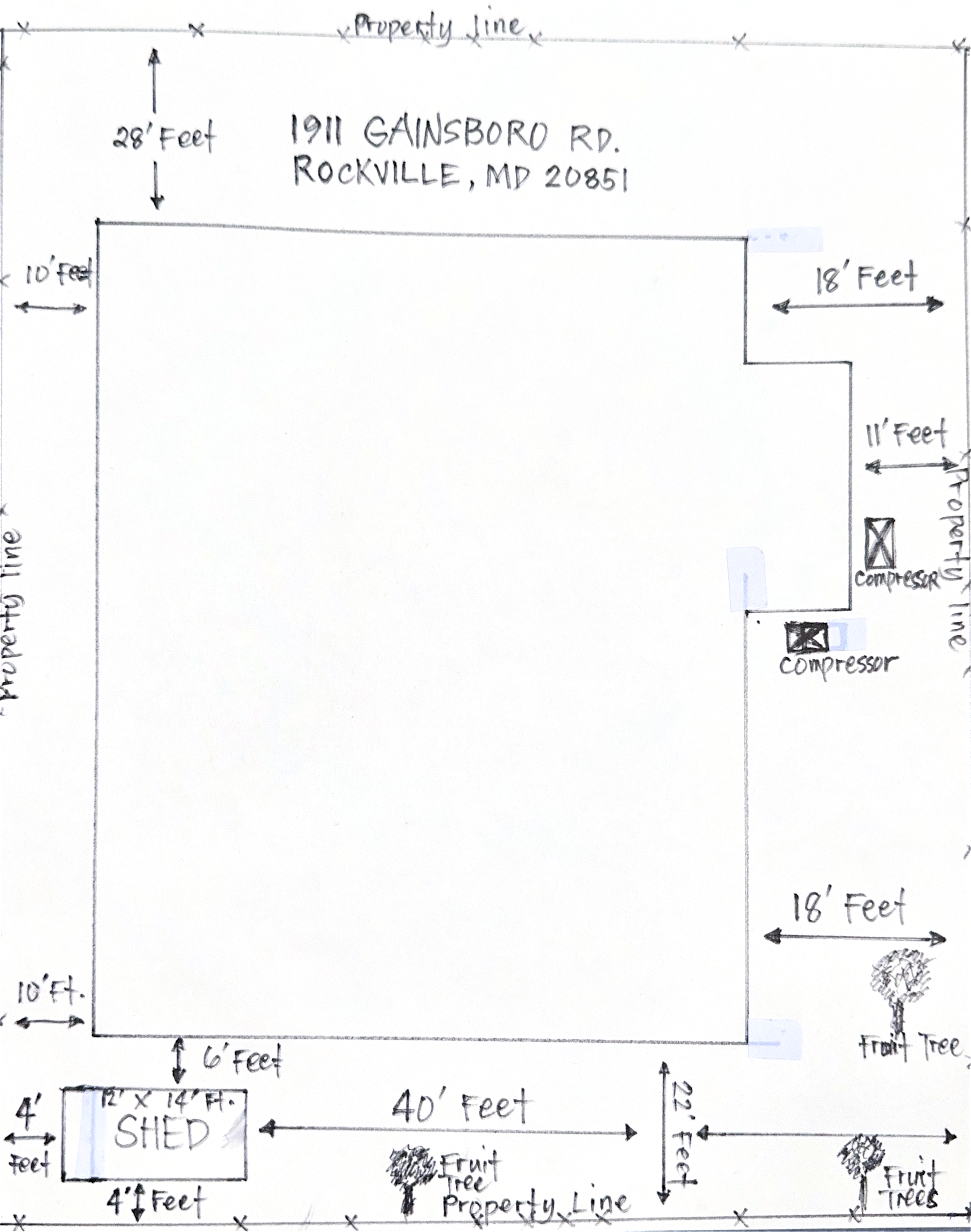
**Owner Authorization Letter**

**authorization letter.pdf**



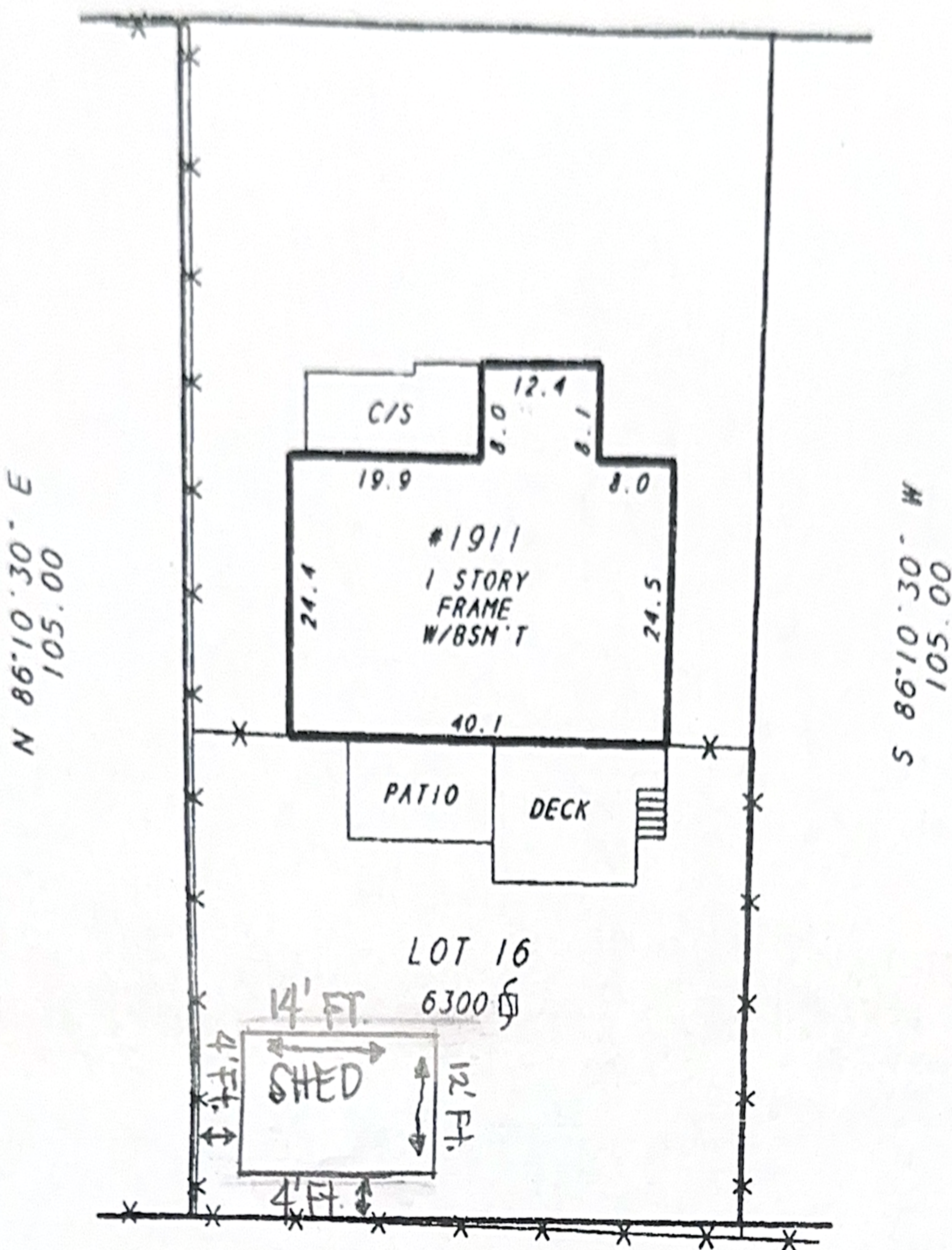
You can complete this application and view updates online at [MGO Connect](#)

← ROAD →

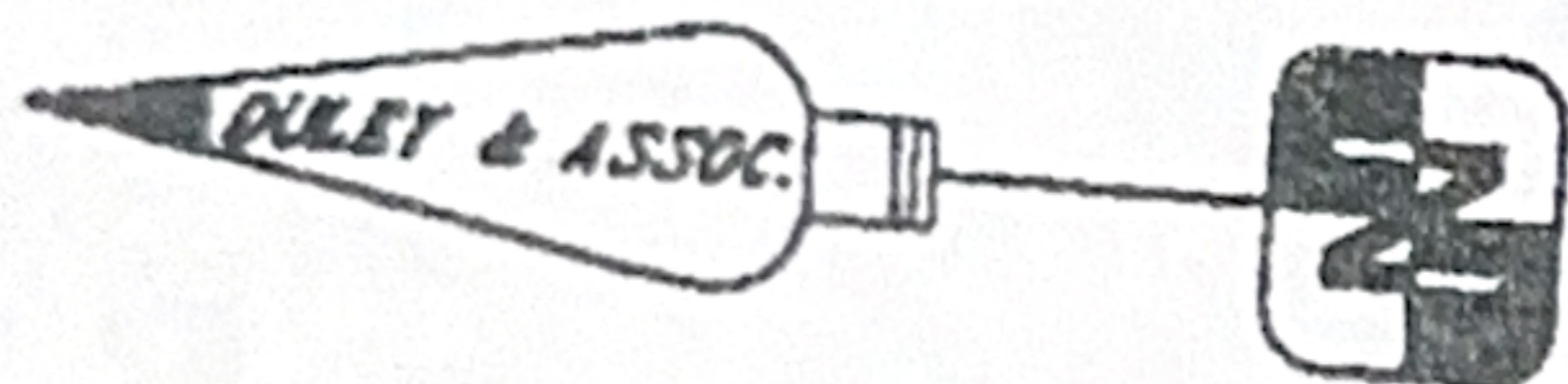


# GAINSBORO ROAD

S 3°49'30" E  
60.00



N 3°49'30" W  
60.00



**NOTE:**  
POSSIBLE  
ENCROACHMENTS  
MAY EXIST

LOCATION SURVEY OF:  
**#1911 GAINSBORO ROAD**  
 LOT 16 BLOCK L  
 SECTION TWO  
**ROCKLAND**  
 4TH ELECTION DISTRICT  
 PLAT BOOK 42 PLAT No. 3105  
 MONTGOMERY COUNTY, MD  
 SCALE 1"=20' DATE: 4/19/00

A LAND SURVEYING AND DESIGN COMPANY



**DULEY  
AND  
ASSOCIATES, INC.**  
SERVING D.C. MD. VA.



HOUSE LOCATION SURVEYS  
 BOUNDARY SURVEYS - ALTA SURVEYS  
 TOPOGRAPHIC SURVEYS - SITE PLANS

3450 PENNSYLVANIA AVE.  
 UPPER MARLBORO, MD. 20772

PHONE: 301-888-1111  
 PHONE: 1-888-88-DULEY

FAX: 301-888-1114  
 FAX: 1-888-56-DULEY



CASE # 00-05-00758  
 ANDERSON  
 FILE # 001569-019  
 DRAWN BY: CMH

**SURVEYOR'S CERTIFICATE**

HEREBY STATE THAT THE EXISTING VISIBLE IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY HAS BEEN CAREFULLY ESTABLISHED BY ACCEPTED METHODS AND THAT THE IMPROVEMENTS APPEAR TO LIE WITHIN FLOOD ZONE C. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF ANY FENCE, BUILDING, OR OTHER IMPROVEMENTS. THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES. SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING. THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH THE CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS 2'. NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS NOT SHOWN ON RECORD PLAT MAY NOT BE SHOWN HEREON. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN.



