



Agenda for Meeting 01-2026
CITY OF ROCKVILLE BOARD OF APPEALS

Alan Frankle, Chair
Roy Deitchman
Jimmy Hauer

Wednesday, April 15, 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 2026-257-VAR:** The applicant requests a variance from the front and rear yard setback requirements of the R-400 Zone to allow for construction of additions to two (2) independent living buildings at 9701 Veirs Drive; Craig Wagoner, Applicant. Planner: Chris Davis, 240-314-8201.

II. COMMISSION ITEMS

A. OLD BUSINESS

B. NEW BUSINESS

C. MINUTES

1. December 17, 2025

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 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, 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 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 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. 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)

- May 20, 2026
- June 17, 2026
- 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

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 2026-257-VAR**

MEETING DATE: April 15, 2026

REPORT DATE: April 8, 2026

FROM: Christopher Davis, Principal Planner
Community Planning and
Development Services
240.314.8201
cdavis@rockvillemd.gov

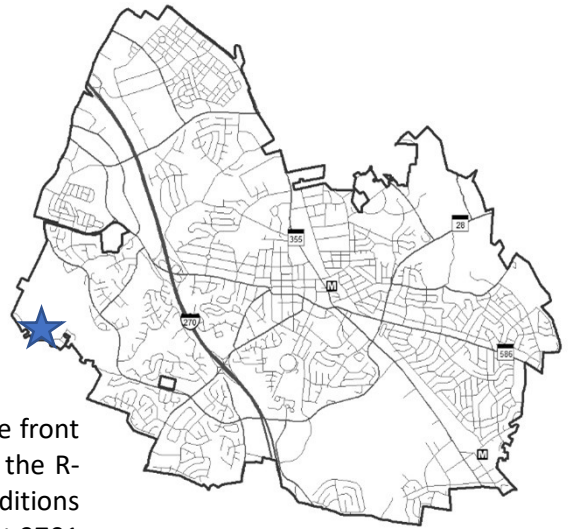
APPLICATION DESCRIPTION: Zoning variances are requested from the front and rear yard setback requirements of the R-400 Zone to allow for construction of additions to two (2) independent living buildings at 9701 Veirs Drive.

APPLICANT: Craig Wagoner
National Lutheran Home for the Aged
9701 Veirs Drive
Rockville, MD 20850

FILING DATE: February 13, 2026

RECOMMENDATION: Approval, subject to conditions referenced on page 11 of this staff report.

EXECUTIVE SUMMARY: Craig Wagoner, representative for property owner National Lutheran Home for the Aged, (known as the "Applicant"), is requesting zoning variances in order to complete cottage additions to their continuing care retirement community known as The Village at Rockville located at 9701 Veirs Drive (the "Property"). The Applicant is requesting the variances from Section 25.10.05.a. (Table of Development Standards) of the Zoning Ordinance (the "Ordinance") to allow a front yard setback of 39 feet in lieu of the required



50 feet and a rear yard setback of 40 feet in lieu of the required 50 feet in the R-400 zone to construct additions to two existing (2) duplex independent living buildings on the community campus.

Background

- Location:** 9701 Veirs Drive (the “Property”)
- Applicant:** Craig Wagoner, National Lutheran Home for the Aged
- Zoning District:** R-400 (Residential Estate)
- Existing Use:** Institutional – Senior Living Community
- Parcel Area:** 31.03 acres per SDAT info
- Building Floor Area:** 633,793 sq. ft. (above grade) per SDAT info.
- Dwelling Units:** 144 Independent Living Units (per Applicant; 2 units impacted by this proposal)

Vicinity

Surrounding Land Use and Zoning			
Location	Zoning	Planned Land Use	Existing Use
North	R-400	Open Space Private	Golf Course
East	R-400	Opens Space Private	Golf Course
South	R-400/Montgomery County	Residential Detached	Single Unit Detached Dwelling
West	R-400	Residential Detached and Opens Space Private	Single Unit Detached Dwelling and Golf Course

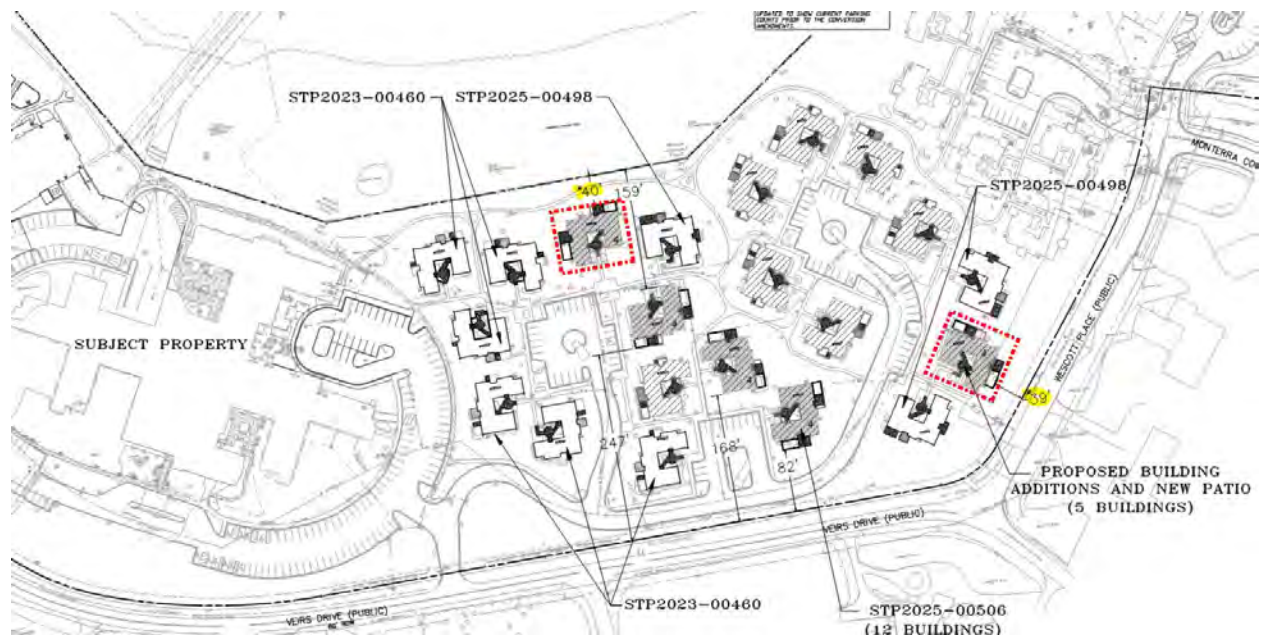
Site Description

The Property is located on the north side of Veirs Drive approximately 500 feet east of its intersection with Glen Mill Road, with a portion of the site’s eastern frontage abutting Wescott Place. The Property is within Planning Area 14 corresponding with the Rockshire and Fallsmead areas as specified in the *Rockville 2040 Comprehensive Plan*. The Property is developed as a continuing care retirement community including a nursing home/assisted living and administrative building, an independent living building and independent triplex and duplex unit buildings, all constructed over time since the 1970s. The administrative and nursing home building is centrally located on the site with the independent living units dispersed around the remainder of the property. The independent living building is developed on the west side of the

site and the entire 31-acre site is accompanied by perimeter landscaping and tree plantings. Immediately abutting the site to the north is the 161-acre Lakewood Country Club property. Confronting the site on the south side of Veirs Drive are single-family detached homes. The city boundary with Montgomery County is mostly located on the south side of Veirs Drive, creating a bifurcation with some homes located within the city's boundaries while most others are located within Montgomery County. The Property is a single record lot known as Parcel C found on a plat of subdivision entitled "Lakewood House," recorded as Plat No. 23516 in the Land Records of Montgomery County, Maryland on November 3, 2006.

PROJECT PROPOSAL

The Property has undergone upgrades in recent years to accommodate the needs of current residents including a phased conversion project of several existing triplex independent living buildings into duplex buildings. The current phase of such project includes upgrading five (5) of the existing independent living buildings (10 residential units total within the 5 duplex buildings) with building additions and patios. The proposed additions are approximately between 175 and 230 square feet, and the patio upgrades range from approximately 140 square feet to 200 square feet in size. As shown on the site plan below, the five (5) existing duplex buildings are located east of the main administrative and nursing home building. Four (4) of the buildings proposing the additions mainly abut each other within the central core of the independent units. The fifth building proposing an addition is located in the southeast corner of the site nearest the Property's frontage with Wescott Place. Two (2) of the five (5) buildings include such additions (highlighted in red on the site plan diagram below) that will encroach into the abutting front and rear yard setbacks. Such encroachments require approval of a variance.



Proposed Site Plan (Source: Provided by Applicant; markups by staff)

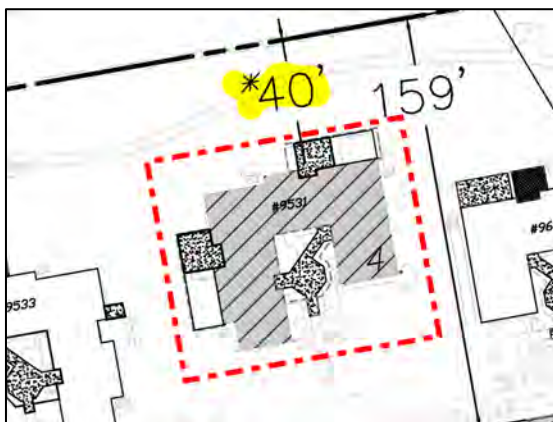
COMMUNITY OUTREACH

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. One (1) email was received requesting information on the requested variances.

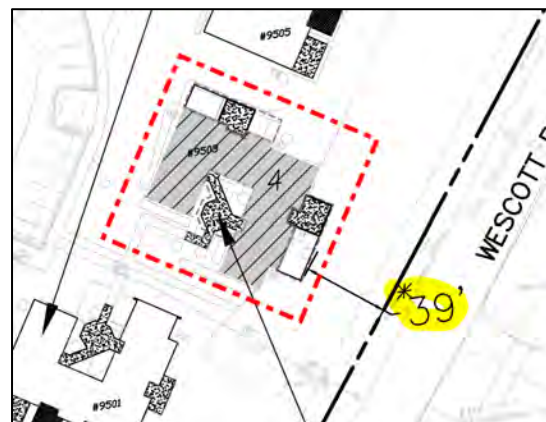
REQUESTED VARIANCES

The Applicant has requested a variance from Section 25.10.05.a (Table of Development Standards) for a rear yard setback of 40 feet in lieu of the required 50 feet and a front yard setback of 39 feet in lieu of the required 50 feet in the R-400 zone in order to construct the proposed building additions on two (2) independent living buildings. The rear building (9531 Veirs Drive) corresponds to the requested rear yard setback variance while the front building (9503 Veirs Drive) represents the requested front yard setback variance. Details of the buildings and proposed setbacks are shown below.

9531 Veirs Drive



9503 Veirs Drive



Detailed site plan views of the two (2) independent living units requesting setback variances. The left image highlights the requested rear yard setback for one building (9531 Veirs Drive) and the right image highlights the requested front yard setback for another building (9503 Veirs Drive). (Source: provided by Applicant)

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 not be contrary to the public interest.

The Property is currently improved with a variety of housing types purposed to service senior living via several previous special exception approvals and has been in existence in the neighborhood for nearly 60 years. Most of the surrounding properties are single family residences which have also been in existence for similar periods. As previously mentioned, the Property has undergone improvements to address senior living needs over previous years to further such residential uses of the Property. The proposal is not anticipated to have any adverse impacts to neighboring properties as the proposed improvements will not be out of character with the existing on-site dwellings and the additions are relatively modest in size and scale with the existing dwellings on the Property. The proposed improvements will afford the property owner increased use of the Property and residents additional living area while still maintaining the overall aesthetics of the homes in a manner that will not be contrary to the public interest.

At the time of completion of this report, no letters of opposition to the Applicant's request have been received.

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 there are peculiar conditions to the property, which are not the result of any action taken by the Applicant, that support the granting of the requested variance.

The Property is irregularly shaped with a narrow "boomerang and bird head/beak" configuration. In examining surrounding properties, there do not appear to be any other properties with such a unique configuration, and most other properties are generally square or rectangular. Additionally, many of the surrounding properties are deeper than they are wide, whereas the Property is much wider than it is deep.

The unique shape and Property configuration further creates front and rear yard property lines that are elongated, resulting in extensive front and rear yard setbacks with comparably smaller side yard property lines and corresponding side yard setbacks. Since the front and rear yard setbacks (50 feet) are greater than the side yard setbacks (20 feet), the Property shape has the effect of compressing the developable area within the Property.

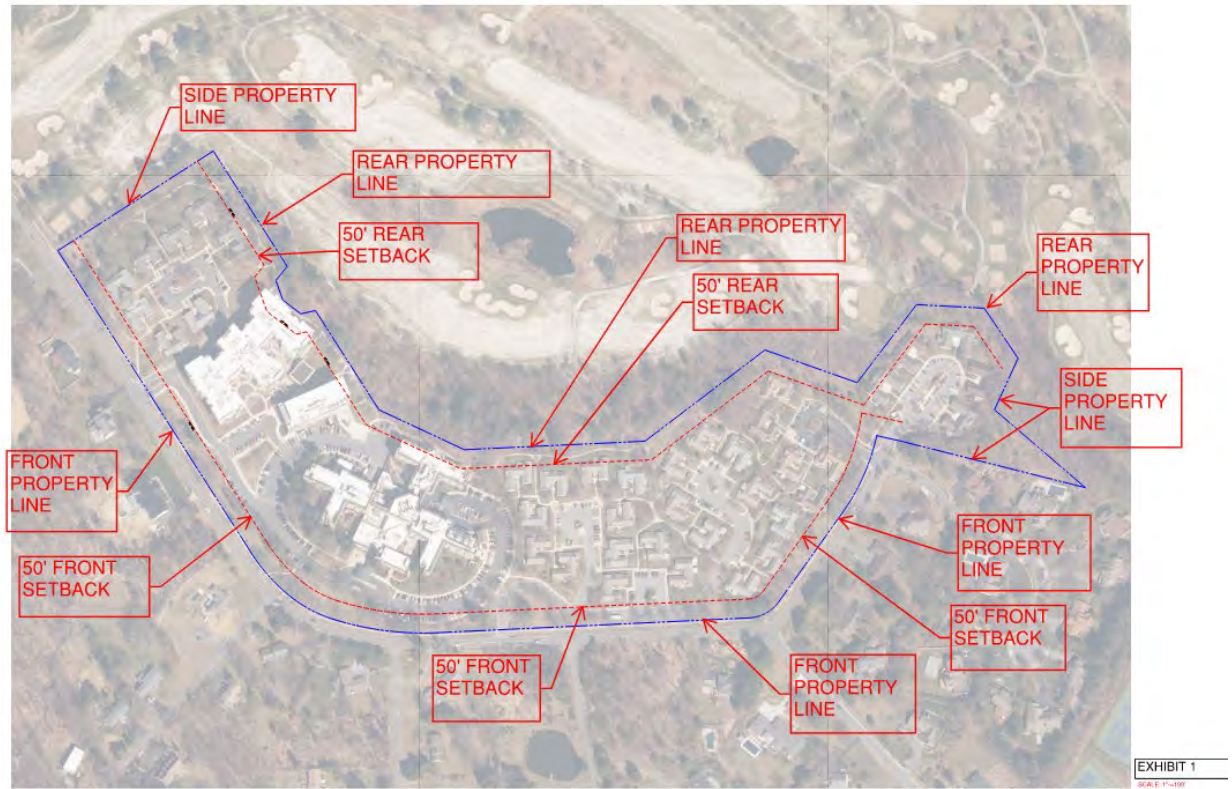


Exhibit 1: Aerial Photo & Property Line Analysis. (Source: provided by Applicant)

As shown in the Applicant’s submitted exhibits, the front property line is approximately 41% of the total property line perimeter, and the rear property line is approximately 39% of the total property line perimeter. Collectively the front and rear property lines are approximately 80% of the total property line perimeter, or a ratio of 4:1 when compared with the side property lines. Comparing such parameters with a more traditional square-shaped property with equal sides where the front and rear property lines each would be approximately 25% of the total property line perimeter, making the front and rear property lines collectively 50% of the total property line perimeter or a ratio of 1:1 when compared with the side property lines. With the Property being 31 acres, the same size property arranged in a square shaped configuration would have less than half as much front property line and rear property line distances along with corresponding front and rear yard setbacks.

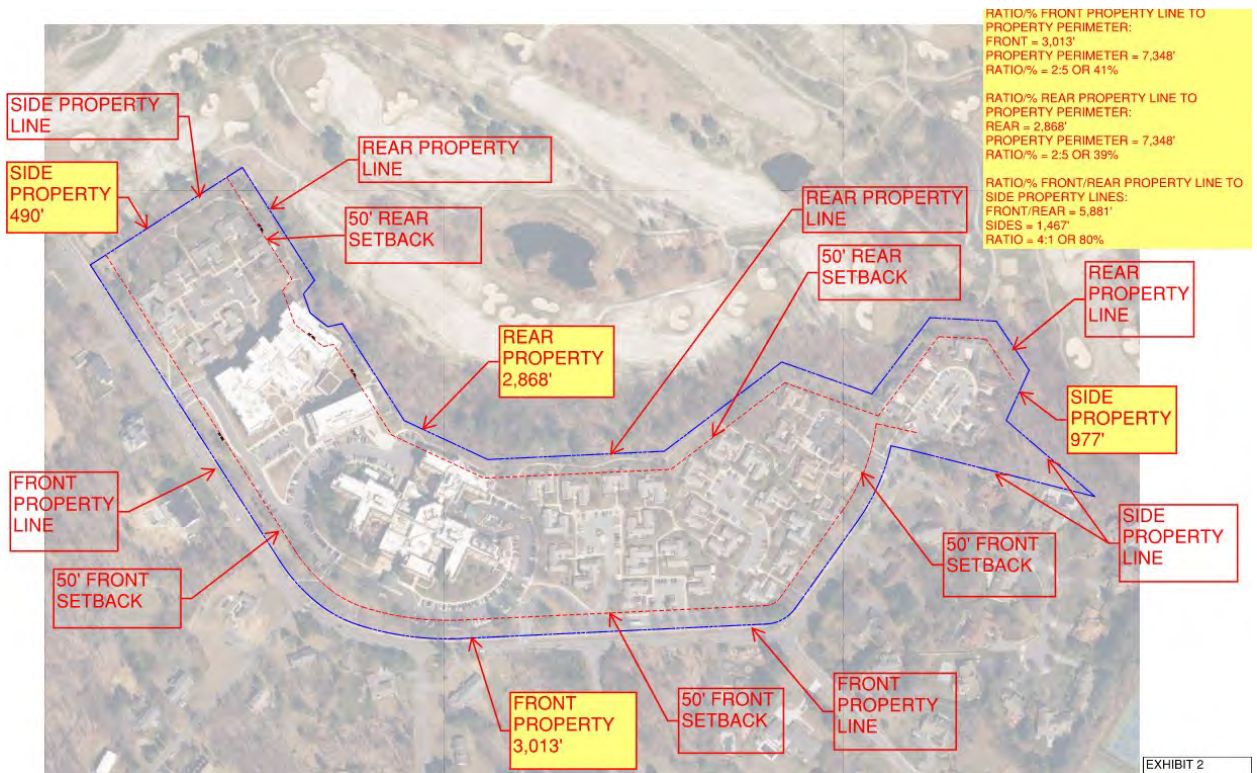


Exhibit 2: Comparison of front/rear property lines with side property lines. (Source: provided by Applicant)

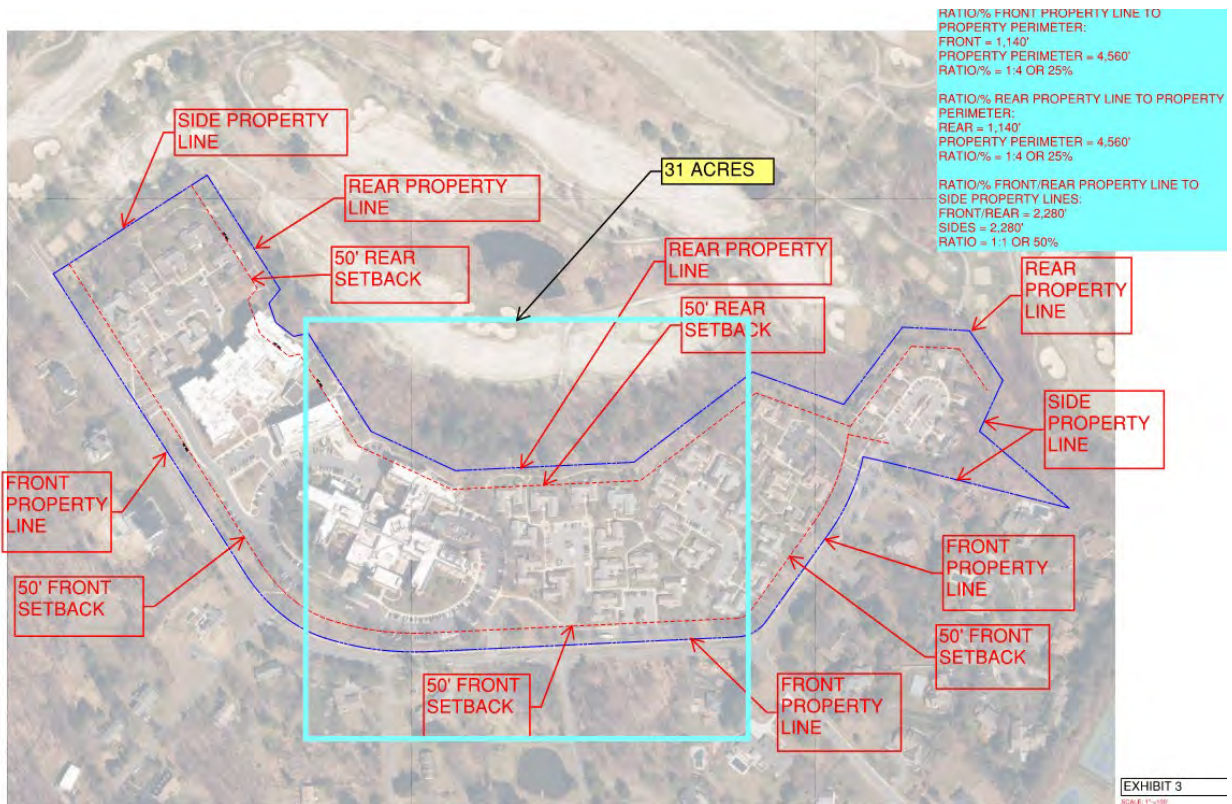


Exhibit 3: Subject property compared to a conventionally square shaped property of similar size. (Source: provided by Applicant)

The Applicant also examined if the Property was reconfigured in a general rectangular shape to most closely resemble the Property's current configuration. In the Property's current configuration, the front property line is approximately 42% of the total property line perimeter, and the rear property line is approximately 42% of the total property line perimeter, making the front and rear property lines approximately 85% of the total property line perimeter, or a 4.25:1 ratio when compared to the side property lines. In comparison, a conventional rectangular shaped property that is deeper than it is wide (see Exhibit 5 below) would have front and rear property lines that would each be approximately 20% of the total property line perimeter and collectively 40% of the total property line perimeter, or a 2.5:1 ratio when compared with the side property lines. The same size property in a more traditional rectangular shaped configuration would have about one-third as much front property line and rear property line distances.

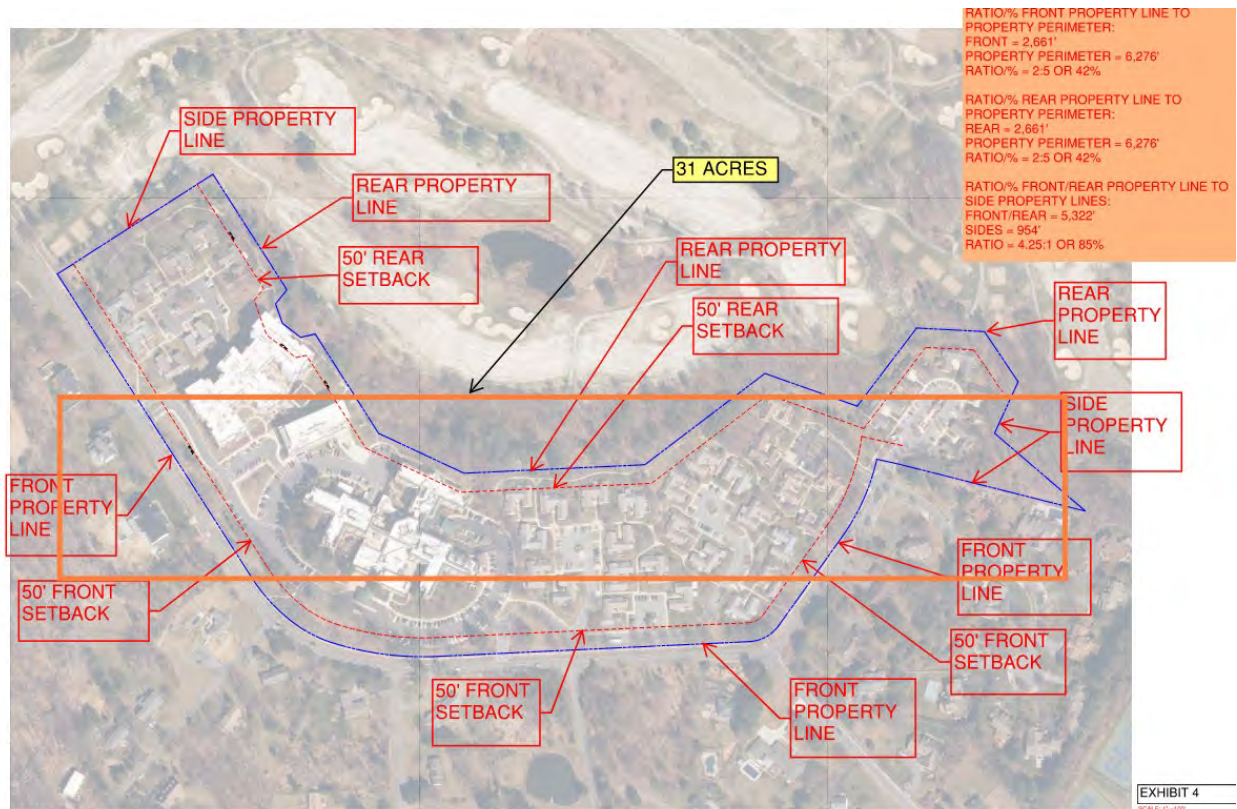


Exhibit 4: Subject property compared to a similar sized conventionally rectangular shaped property oriented west-east. (Source: provided by Applicant)

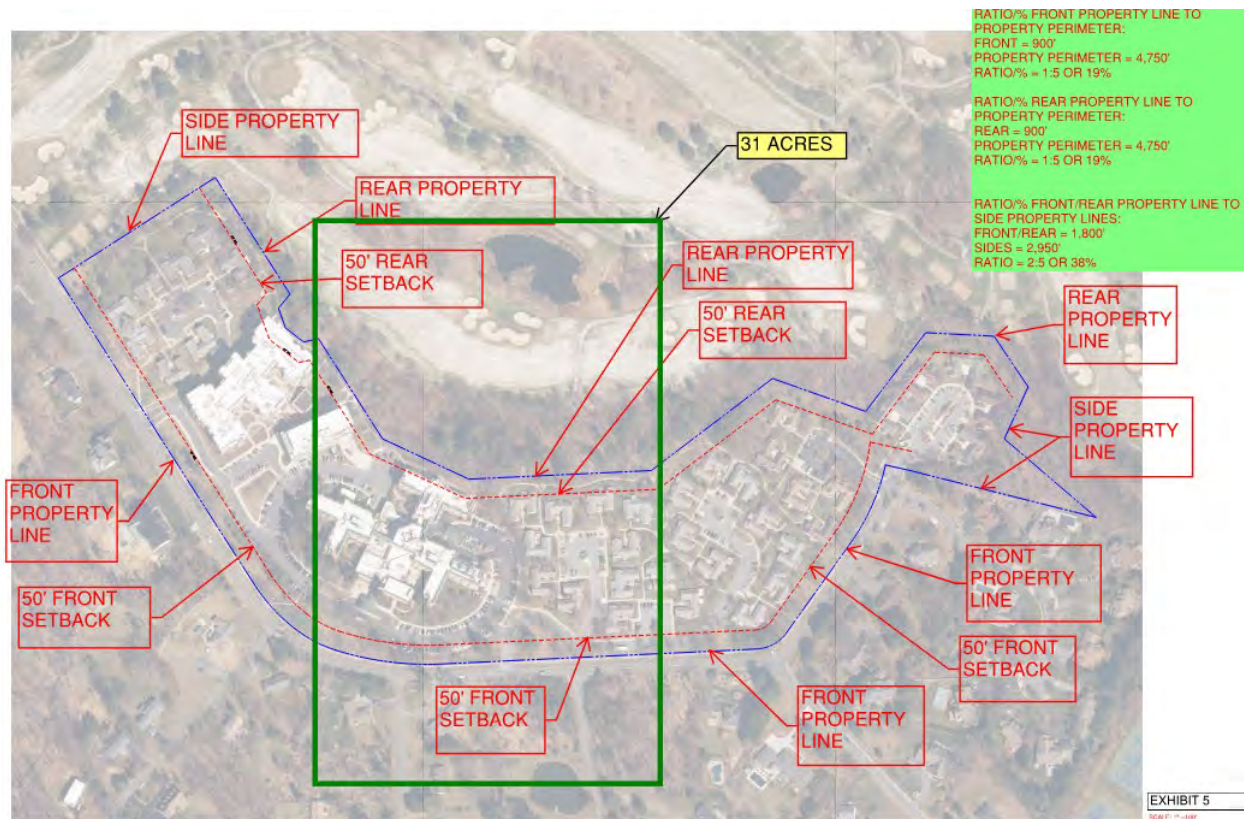


Exhibit 5: Subject property compared to a similar sized conventionally rectangular shaped property oriented north-south.
 (Source: provided by Applicant)

It should also be noted that, in specific regard to the requested rear yard variance, the Property was originally developed under a previous Zoning Ordinance with different setback requirements. Specifically, under previous Zoning Ordinances, the Property was designated within the R-E (Residential Estate) zone which required a rear yard setback of 40 feet, and it appears the site was originally developed under such requirements. However, with the adoption of the current Zoning Ordinance in 2009, the site's current R-400 zoning changed the rear yard setback requirement to 50 feet. Had not the zoning and setback changes occurred, the proposed rear yard setback would be compliant with the setback requirements that were in place at the time of original development of the site. Staff finds that this change in requirements is a unique condition of the property that is not a result of any action by the property owner. Furthermore, since the adoption of the current Ordinance, previous variances for rear setbacks have also been granted on the Property.

Staff finds that the unique shape of the Property and corresponding conditions created with exaggerated and disproportional property lines and setbacks along with changing setback requirements over time, create a disproportionate impact on developable area for the Property as compared to other properties in the neighborhood. Staff finds that these peculiar site conditions are attributable to the Property and are not due to the actions brought about by the Property owner.

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

The Applicant indicates that granting of the requested variance will allow for greater utility and enjoyment of the Property by providing additional living amenities namely in the form of the building additions and patios in concert with recent conversions from triplex to duplex units, all to service resident needs. The Applicant indicates that strict compliance with the setback requirements would adversely affect the ability of the independent units to add the proposed modest additions, leading to lacking features in comparison to the remaining units that are being upgraded. The unique property shape along with its proportions relative to its neighbors and the resulting impacts of the associated setback requirements creates a disproportionate impact on the Property owner in meeting the site's setback requirement thus leading to a practical difficulty in completing these small additions. The Applicant indicates that the variances requested are the minimum necessary to overcome the practical difficulties presented from conditions peculiar to the Property and can be further granted without any impairment to the character of the adjoining properties.

Due to conditions unique to this Property, namely the property shape and relative proportion of the front and rear yards as compared to neighboring properties, efforts to improve the dwellings with building additions consistent in design across the site would be prohibitive without approval of a variance. Therefore, literal application of the Ordinance requirements would create a practical difficulty for the Applicant.

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

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 not be contrary to the purposes of the Ordinance, since such relief is necessitated by site characteristics and physical improvements specific to the Property and are not the result of any actions taken by the Property owner. Several purposes of the Ordinance include:

- Ensure that development occurs in an orderly fashion consistent with the master plan (the "plan");
- Ensure the most appropriate use of land throughout the City;
- Protect and enhance the aesthetic and visual character of the City and its residential neighborhoods; and
- Provide attractive, high-quality development and design that enhances the community's quality of life.
- Foster innovative, creative, sustainable, and flexible building and site design;

The Applicant's proposal will not be inconsistent with the above purposes but rather will contribute to achieving such purposes. The Comprehensive Plan identifies residential uses as appropriate for the subject property and surrounding area. The Zoning Ordinance further permits the current senior living use on the subject property by Special Exception approval, which has been granted and established on the Property for decades. The Applicant's proposal will further enhance the approved use of the site. Staff finds that the Applicant's plans and proposed improvements will not adversely impact adjacent properties and will maintain the aesthetic character of the Property and of the neighborhood. Approval of this application and subsequent permitting will allow the Applicant to construct improvements to the Property which will assist in improving the residents' quality of life through enhanced use of the existing dwellings.

The granting of the variances requested would not be inconsistent, but in keeping with the purpose, intent, and spirit of the Ordinance. Staff finds that due to site conditions, which are specific to the subject site, the request is not contrary to the purpose of the Zoning Ordinance.

STAFF RECOMMENDATION:

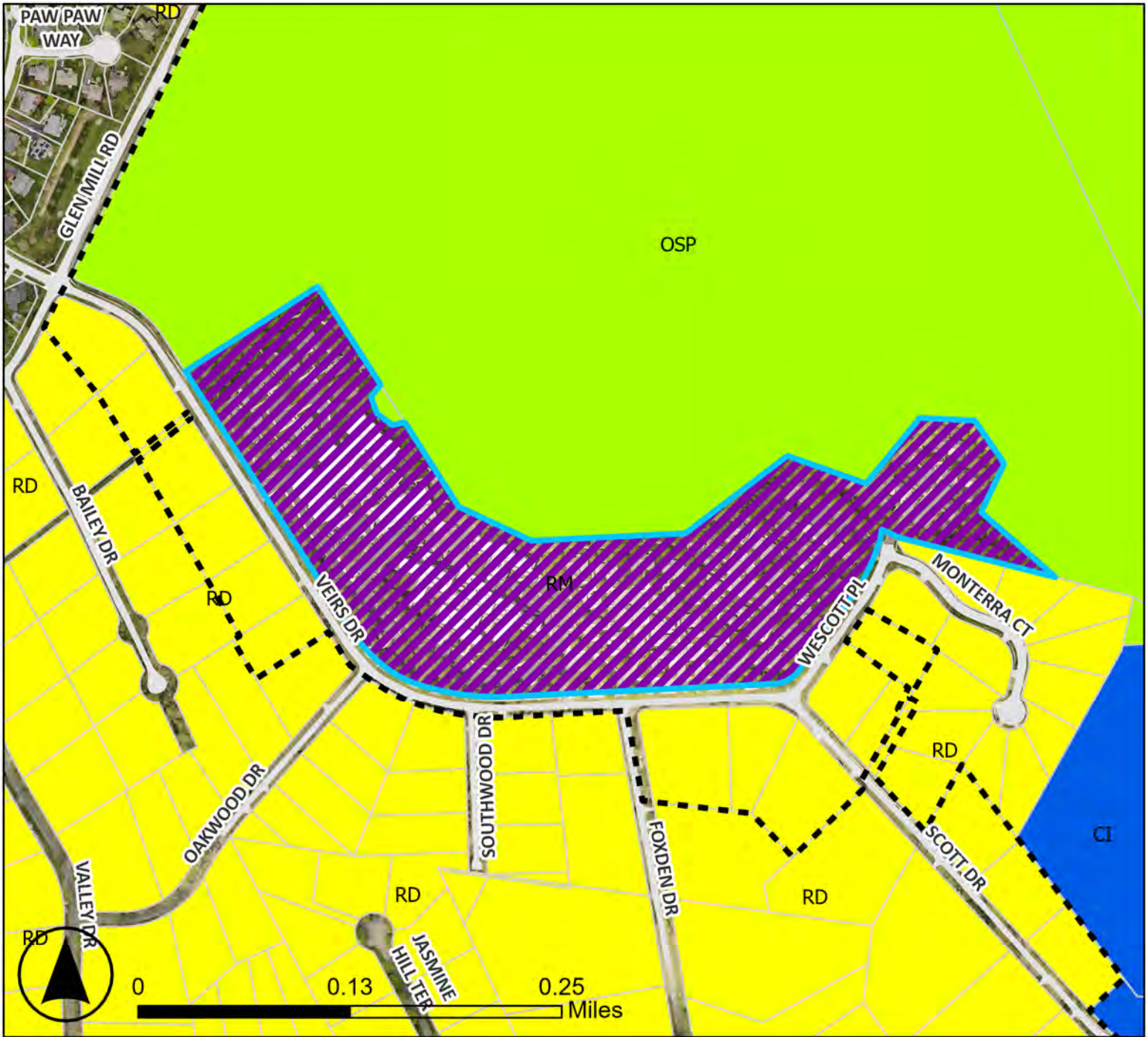
Based on the information provided and factors specific to the subject request, staff recommends approval of the requested variance to allow a rear yard setback of 40 feet in lieu of the required 50 feet (a 10-foot variance) and a front yard setback of 39 feet in lieu of the required 50 feet (an 11-foot variance), for the construction of building additions at 9531 and 9503 Veirs Drive, subject to the following conditions:

- 1) The proposed building additions must be constructed in substantial accordance with the plans and illustrations provided and prepared by the Applicant herein.
- 2) The Applicant must submit an Affidavit of Posting certifying that the public hearing sign has been posted on the property in accordance with City requirements.



ATTACHMENTS:

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







Legend

 Rockville City Limits
 Subject Property

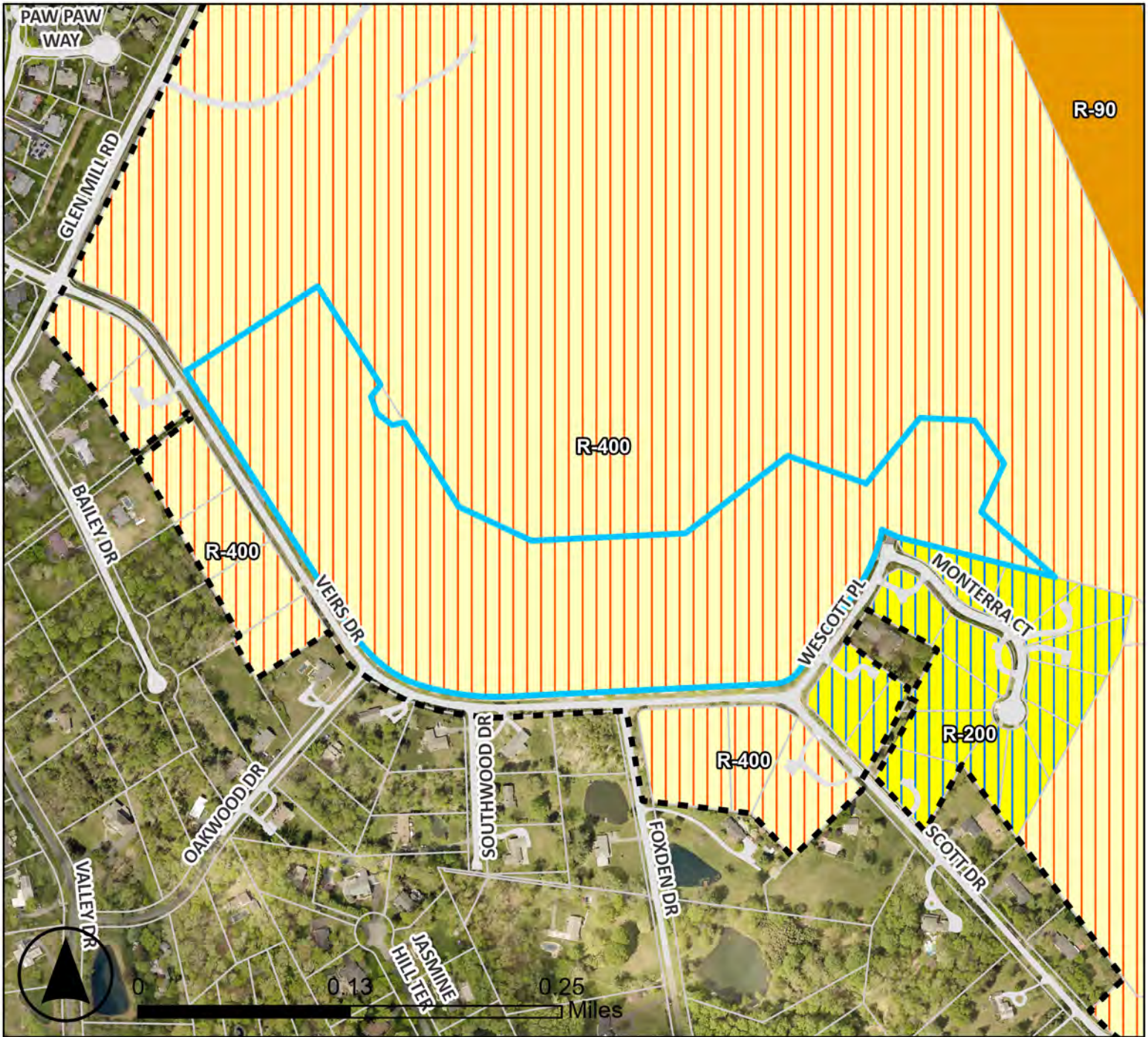
Land Uses

 C - Commercial
 CI - Civic and Public Institutional

 CRM - Commercial and Residential Mix
 I - Private Institution
 O - Office
 OCRM - Office/Commercial/Residential Mix
 OSP - Open Space

 P - Park
 RA - Residential Attached
 RD - Residential Detached
 RF - Residential Flexible
 RM - Residential Multiple Unit

 RO - Residential and/or Office
 SI - Service Industrial
 SRM - Service Industrial and Residential Mix
 <all other values>



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



Rockville Variance

Submitted by:
John Kidwiler

Online Request #: 3235330

Project #: 2026-257-VAR

Location: **9701 VEIRS DR**

City: **ROCKVILLE** State: **MD** Zip: **20850**

Contact Information

Applicant's Contact Information

Title: First Name: **CRAIG** Last Name: **WAGONER** Suffix:

Business Name: **NATIONAL LUTHERN HOME FOR THE AGE**

Mailing Address: **9701 VEIRS DRIVE**

City: **ROCKVILLE** State: **MD** Zip: **20850**

Property Owner's Contact Information

Title: First Name: **CRAIG** Last Name: **WAGONER** Suffix:

Business Name: **NATIONAL LUTHERN HOME FOR THE AGE**

Mailing Address: **9701 VEIRS DRIVE**

City: **ROCKVILLE** State: **MD** Zip: **20850**

Attorney's Contact Information

Title: First Name: **STUART** Last Name: **BARR** Suffix:

Business Name: **LERCH, EARLY & BREWER**

Mailing Address: **3 BETHESDA METRO CENTER**

City: **BETHESDA** State: **MD** Zip: **20814**



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

Engineer's Contact Information

Title: First Name: ANDY Last Name: BRADSHAW Suffix:

Business Name: Johnson Bernat Associates, Inc.

Mailing Address: 205 N. Frederick Avenue

City: Gaithersburg State: MD Zip: 20877

Other Associated People's Contact Information

Title: First Name: JOHN Last Name: KIDWILER Suffix:

Business Name: Johnson Bernat Associates, Inc.

Mailing Address: 205 N. Frederick Avenue

City: Gaithersburg State: MD Zip: 20877

Architect's Contact Information

Title: First Name: Last Name: Suffix:

Business Name:

Mailing Address:

City: State: Zip:

Application Questionnaire (* denotes required question)

Variance

Subdivision LAKWOOD HOUSE

Lot(s) C

Block

Zoning R-400



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"

SEE ATTACHED STATEMENT

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.

True

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.

True

FILING DEADLINES *

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

True

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.

True

Size of Property *

In acres

31.03

From what zoning ordinance requirement is the variance being requested?

SEE ATTACHED STATEMENT



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

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

Explain why the granting of the variance is necessitated by conditions unique to the property. SEE ATTACHED STATEMENT

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

Explain why not granting the variance would result in practical difficulty in the use of the property. SEE ATTACHED STATEMENT

Explain why the approval of the variance is not inconsistent with the purposes of the zoning ordinance. SEE ATTACHED STATEMENT

Was there a Pre-Submission Meeting? * Yes

When was the Pre-Submission meeting? * 1/26/2026

Pre-Submission meetings are required. Contact staff at CPDS@rockvillemd.gov to schedule the meeting. *



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

Documents Uploaded

The following documents are attached to the Application.

A site plan showing how the variance will affect the surrounding properties **site plan - variance.pdf**

Other Files

tvar statement for setback variances (leb final 2-13-2026)(10436118.1).pdf

Owner Authorization Letter

authorization letter.pdf



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

**BOARD OF APPEALS
FOR
ROCKVILLE, MARYLAND**

**SUPPLEMENTAL STATEMENT IN SUPPORT OF APPLICATION FOR TWO
ZONING VARIANCES (REAR YARD AND FRONT YARD SETBACK)
FOR LIFE CARE FACILITY SPECIAL EXCEPTION USE**

The Village at Rockville Property; 9701 Veirs Drive, Rockville, Maryland 20850

APPLICATION NUMBER 2026-257-VAR

RELATED APPLICATION: Minor Site Plan Amendment Application No. 2026-253-STPA
April 3, 2026

On behalf of our client, The Village at Rockville (“TVAR”), we are submitting this Supplemental Statement and information in support of the application for a Zoning Variance to be processed together with Minor Site Plan Amendment Application Number 2026-253-STPA. This Supplemental Statement is intended to supplement (not replace) TVAR’s prior submission materials.

In further support of its application, please see the photographs below of the duplex building (#9503) that is proposed for the addition that requires the front yard setback variance. The proposed addition is very small -- one story, approximately 220 square feet in size. TVAR consulted with its architects, and given the current unit plan configuration, any addition to this unit must be placed where it is proposed. An addition cannot be added to the unit without placing the addition on the proposed side facing Wescott Place.

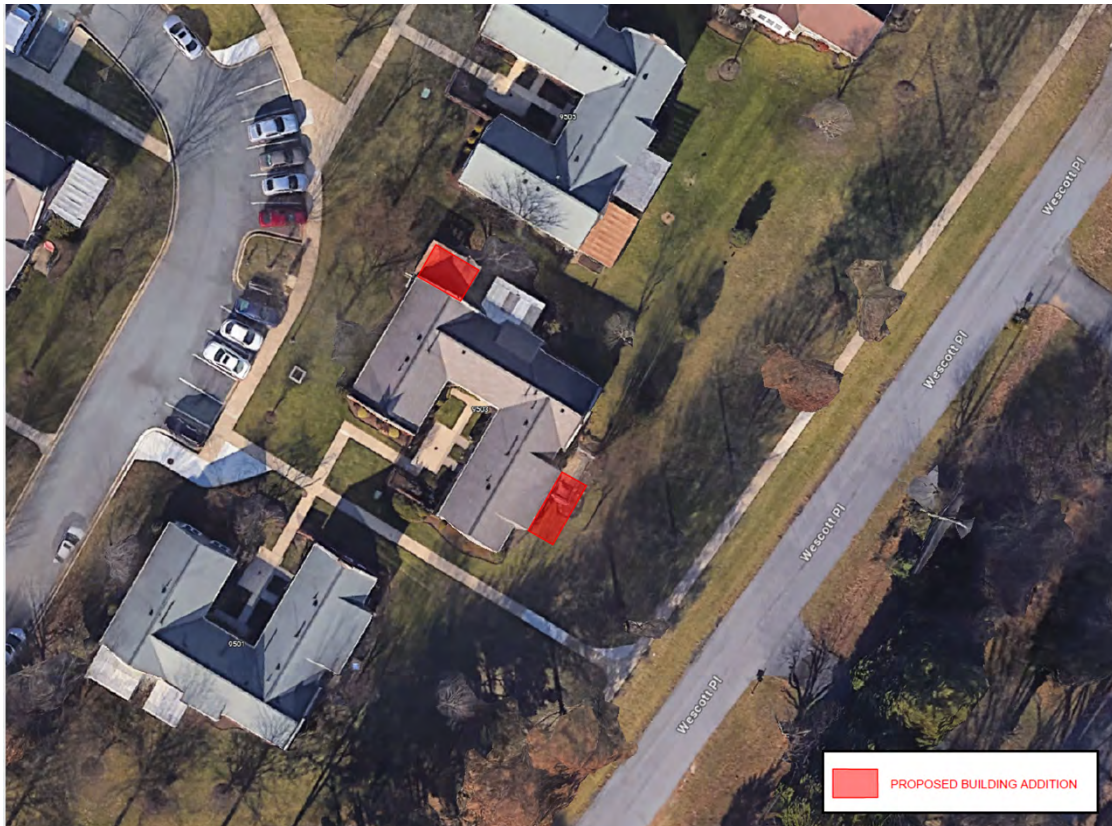


#9503 Building proposed for one-story 220 square foot addition





#9503 Building proposed for one-story 220 square foot addition



In further support of its Variance Application, TVAR states as follows: The TVAR Property is irregularly shaped with a narrow “boomerang + bird head/beak” configuration. *See Exhibit 1.* We are not aware of any other property in the City that is similarly shaped. Whereas many subdivided properties are generally square or rectangular shaped, the TVAR Property shape is unique. Additionally, many other subdivided properties are deeper than they are wide, whereas TVAR is much wider than it is deep. This irregular shape creates conditions peculiar to the Property.

The TVAR Property front and rear yard property lines are elongated, creating very extensive front and rear yard setbacks, with very little side yard property lines and corresponding side yard setbacks. Because front and rear yard setbacks are greater (50 feet) than are side yard setbacks abutting land (20 feet), the Property shape has the effect of compressing the developable area within the Property.

As reflected on Exhibit 2, the front property line is approximately 41% of the total property line perimeter, and the rear property line is approximately 39% of the total property line perimeter. Together, the front and rear property lines are approximately 80% of the total property line perimeter, or a 4:1 ratio when compared with the side property lines. *See Exhibit 2.* These numbers should be compared with a more traditional square shaped property with equal sides, where the front property line would be approximately 25% of the total property line perimeter, and the rear property line would be approximately 25% of the total property line perimeter. Together, the front and rear property lines would be approximately 50% of the total property line perimeter, or a 1:1 ratio when compared with the side property lines. *See Exhibit 3.* Further, the TVAR Property is 31 acres. The same size property in a square shaped configuration would have less than half as much front property line and rear property line distances (and corresponding front and rear yard setbacks). *See Exhibit 3.*

Exhibit 4 reflects the TVAR Property if it was reconfigured in a general rectangular configuration, to most closely resemble the Property’s current configuration. Again, with this configuration, the front property line is approximately 42% of the total property line perimeter, and the rear property line is approximately 42% of the total property line perimeter.

Together, the front and rear property lines are approximately 85% of the total property line perimeter, or a 4.25:1 ratio when compared with the side property lines. *See Exhibit 4.* By comparison, with a more traditional rectangular shaped property configuration that is deeper than it is wide (Exhibit 5), the front property line would be approximately 20% of the total property line perimeter, and the rear property line would be approximately 20% of the total property line perimeter. Together, the front and rear property lines would be approximately 40% of the total property line perimeter, or a 2.5:1 ratio when compared with the side property lines. *See Exhibit 5.* The same size property in a more traditional rectangular shaped configuration would have about one-third as much front property line and rear property line distances.

Attached are four examples of senior living communities in the City of Rockville that are configured in a more traditional square or rectangular shape property configuration: Sunrise of Rockville (8 Baltimore Road), Brightview West End (285 N. Washington Street), Ingleside (701 King Farm Blvd.), Ring House (1801 E. Jefferson Street). *See Attachments.*

The unique TVAR Property shape and unique conditions created by that shape disproportionately impact the TVAR Property, the length of the front and rear yard property lines, the corresponding front and rear yard setbacks, and the impacts those setbacks create on the Property. For these reasons, TVAR requests relief as described in its Variance Application. Thank you very much.

Respectfully submitted,

Lerch, Early & Brewer, Chtd.



By: _____

Stuart R. Barr
Attorneys for Applicant
7600 Wisconsin Avenue, Suite 700
Bethesda, Maryland 20814
Phone: (301) 961-6095
srbarr@lercheearly.com

Attachments: Exhibits 1-5 and four examples of City of Rockville senior living community property configurations.

PHASE 4 TOTALS				
PHASE 4 UNITS	LOD SQ. FT.			ACRES
#9503	1059	S.F.	0.024	A.C.
#9519	969	S.F.	0.022	A.C.
#9521	956	S.F.	0.022	A.C.
#9527	996	S.F.	0.023	A.C.
#9531	913	S.F.	0.021	A.C.
TOTAL PHASE 4 LOD	4893	S.F.	0.112	A.C.

PHASE 4 IMPERVIOUS AREA				
#9503	1059	S.F.	0.024	A.C.
#9519	969	S.F.	0.022	A.C.
#9521	956	S.F.	0.022	A.C.
#9527	996	S.F.	0.023	A.C.
#9531	913	S.F.	0.021	A.C.
TOTAL PHASE 4 IMPERVIOUS AREA	4893	S.F.	0.112	A.C.

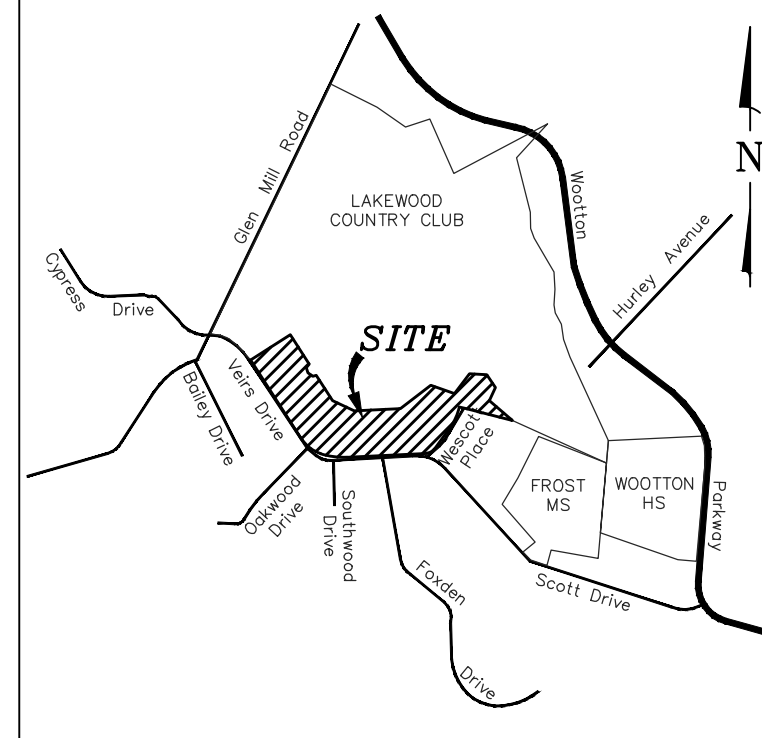
* FRONT AND REAR SETBACKS FOR R-400 ZONE IS 50', THEREFORE, A VARIANCE IS REQUIRED. (NEED APPROVED PRIOR TO STP APPROVAL)

OFF STREET PARKING SUMMARY					
PARKING REQUIRED - LIFE CARE FACILITY					
	REQUIRED SPACES	NUMBER OF UNITS	EXISTING PARKING REQUIRED	PROPOSED NUMBER OF UNITS	PROPOSED PARKING REQUIRED
Existing Assisted Living / Nursing Care	1 per 4 Beds	210	53		
Employees - Peak Shift	1 space per Employee	185	185		
TOTAL PARKING REQUIRED FOR NURSING HOME / ADMIN.			238		
Freestanding Independent Living Units	1 space per unit	111	99	(NO CHANGE TO # NUMBER OF UNITS)	
Administration Addition	1 space per 300 sf	0	0		
Community Center	1 space per 300 sf	0	0		
TOTAL PARKING REQUIRED FOR FREESTANDING I.L. UNITS			99		
1 - Bedroom	1 space per unit	64	64		
2 - Bedroom	1.5 spaces per unit	68	102		
TOTAL PARKING REQUIRED FOR MULTIPLE UNIT I.L. BUILDING			166		
TOTAL SITE PARKING REQUIRED (INCLUDES HANDICAP SPACES)			503		

PARKING PROVIDED				
		EXISTING PARKING PROVIDED		PROPOSED PARKING PROVIDED
Assisted Living / Nursing Care / Administration		215		(NO IMPACT TO PARKING)
Freestanding Independent Units		161		
Community Center/Office		0		
Multiple Unit I.L. Building		148		
ON-SITE SURFACE PARKING PROVIDED (INCLUDES HANDICAP SPACES)		382		
ON-SITE GARAGE PARKING PROVIDED (INCLUDES HANDICAP SPACES)		133		
TOTAL ON-SITE PARKING PROVIDED (INCLUDES HANDICAP SPACES)		524		

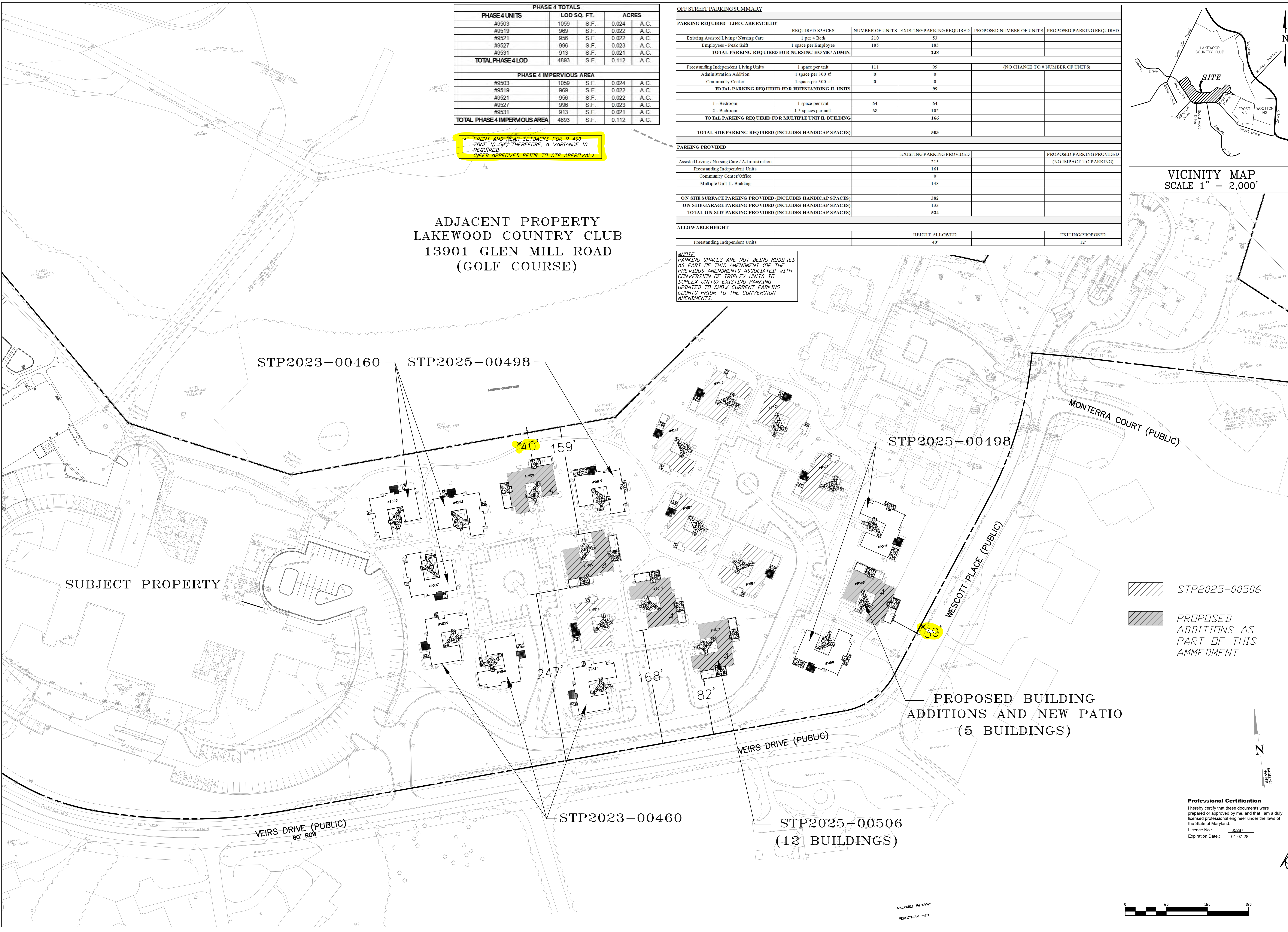
ALLOWABLE HEIGHT				
		HEIGHT ALLOWED		EXISTING/PROPOSED
Freestanding Independent Units		40'		12'

*NOTE: PARKING SPACES ARE NOT BEING MODIFIED AS PART OF THIS AMENDMENT FOR THE PREVIOUS AMENDMENTS ASSOCIATED WITH CONVERSION OF TRIPLEX UNITS TO DUPLEX UNITS. EXISTING PARKING UPDATED TO SHOW CURRENT PARKING COUNTS PRIOR TO THE CONVERSION AMENDMENTS.



VICINITY MAP
SCALE 1" = 2,000'

ADJACENT PROPERTY
LAKEWOOD COUNTRY CLUB
13901 GLEN MILL ROAD
(GOLF COURSE)



STP2025-00506
PROPOSED ADDITIONS AS PART OF THIS AMMENDMENT

PROPOSED BUILDING ADDITIONS AND NEW PATIO (5 BUILDINGS)

STP2025-00506 (12 BUILDINGS)

STP2023-00460

STP2023-00460 STP2025-00498

STP2025-00498

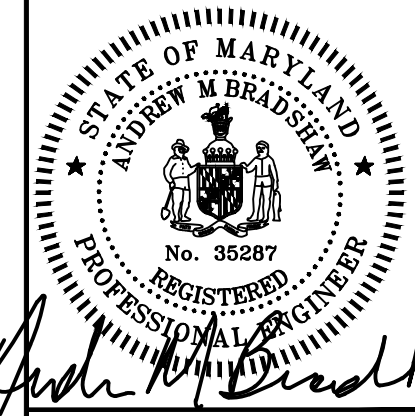
SUBJECT PROPERTY

JBA
Johnson • Bernat Associates, Inc.
205 N. Frederick Ave., S. 100
Gaithersburg, MD 20877
Tel: (301) 963-1133
Fax: (301) 963-6306
www.jba-inc.net

REV. NO.	DATE	REVISIONS PRIOR TO APPROVAL

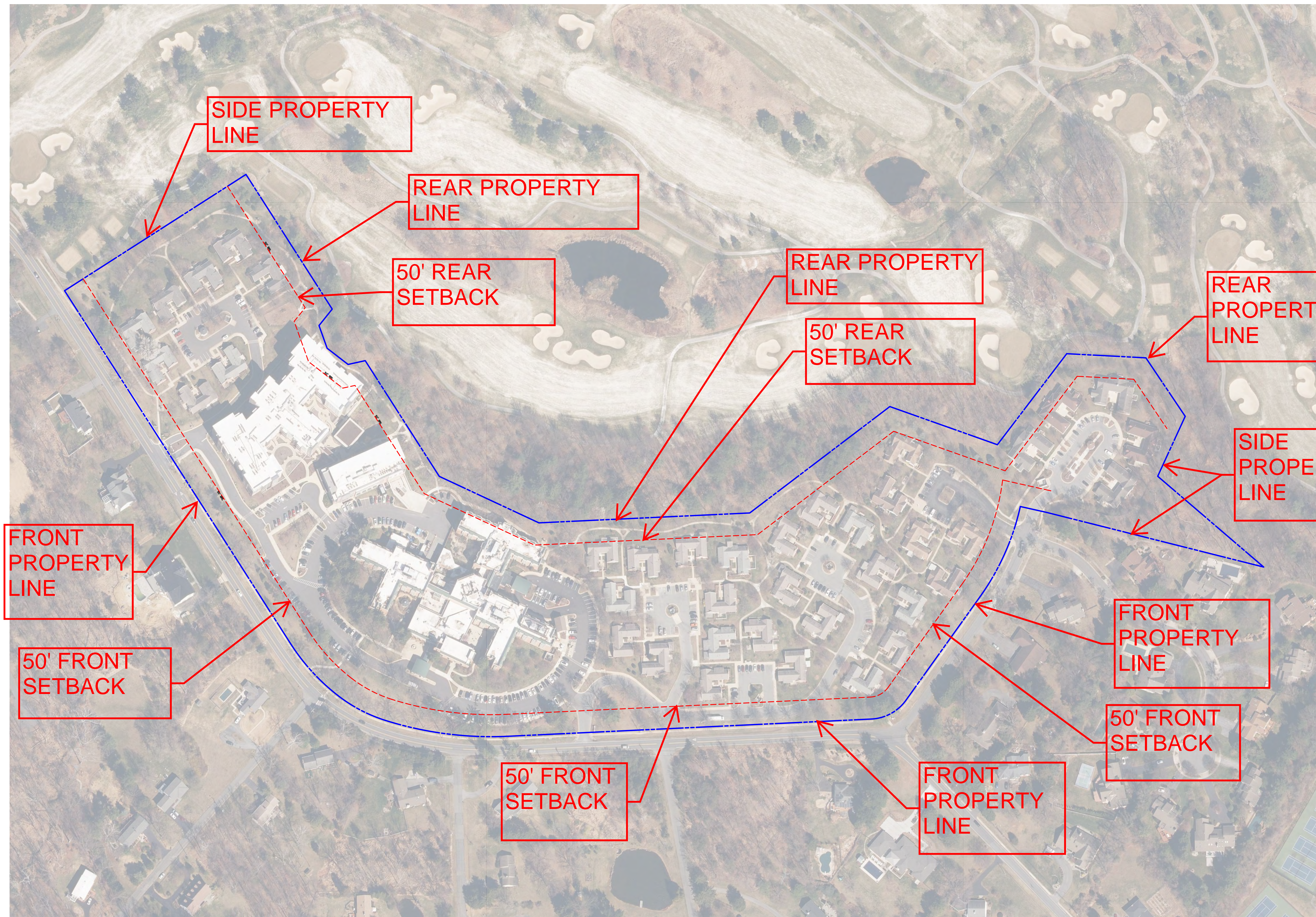
THE VILLAGE AT ROCKVILLE
OVERALL SITE PLAN
PHASE 4
LAKWOOD HOME SUBDIVISION, PARCEL 'C', 4th ELECTION DISTRICT
9701 VEIRS DRIVE, ROCKVILLE, MARYLAND

Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
Licence No.: 35287
Expiration Date: 01-07-28



ISSUE:	
SCALE:	1"=60'
DATE:	1/12/2026
SHEET:	1 OF 5
FILE NO.:	13-062A





SIDE PROPERTY LINE

SIDE PROPERTY 490'

REAR PROPERTY LINE

50' REAR SETBACK

REAR PROPERTY LINE

50' REAR SETBACK

REAR PROPERTY LINE

REAR PROPERTY 2,868'

SIDE PROPERTY 977'

FRONT PROPERTY LINE

50' FRONT SETBACK

50' FRONT SETBACK

SIDE PROPERTY LINE

FRONT PROPERTY 3,013'

50' FRONT SETBACK

FRONT PROPERTY LINE

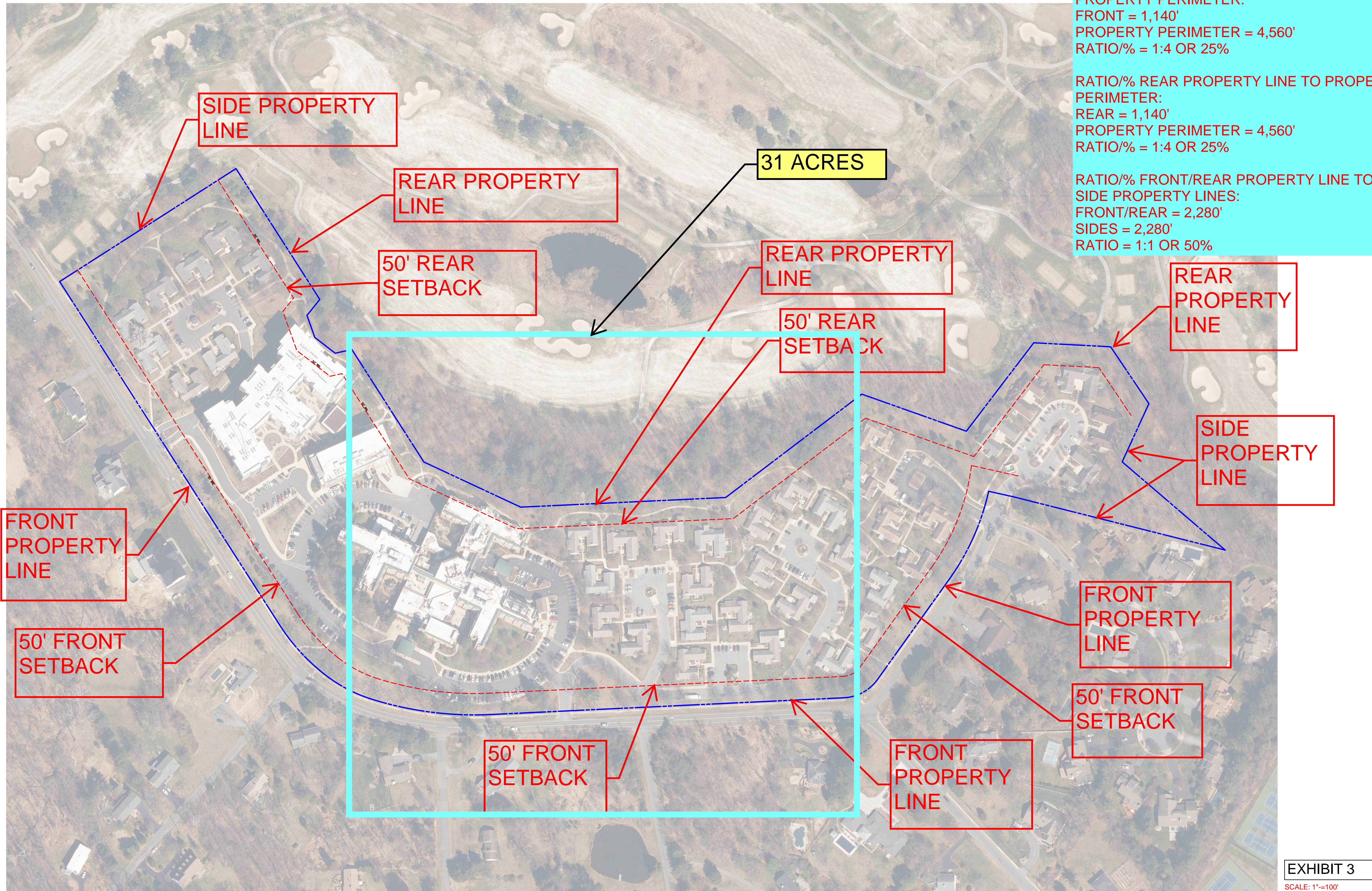
RATIO/% FRONT PROPERTY LINE TO PROPERTY PERIMETER:
 FRONT = 3,013'
 PROPERTY PERIMETER = 7,348'
 RATIO/% = 2:5 OR 41%

RATIO/% REAR PROPERTY LINE TO PROPERTY PERIMETER:
 REAR = 2,868'
 PROPERTY PERIMETER = 7,348'
 RATIO/% = 2:5 OR 39%

RATIO/% FRONT/REAR PROPERTY LINE TO SIDE PROPERTY LINES:
 FRONT/REAR = 5,881'
 SIDES = 1,467'
 RATIO = 4:1 OR 80%

EXHIBIT 2

SCALE: 1"=100'



RATIO/% FRONT PROPERTY LINE TO PROPERTY PERIMETER:
 FRONT = 1,140'
 PROPERTY PERIMETER = 4,560'
 RATIO/% = 1:4 OR 25%

RATIO/% REAR PROPERTY LINE TO PROPERTY PERIMETER:
 REAR = 1,140'
 PROPERTY PERIMETER = 4,560'
 RATIO/% = 1:4 OR 25%

RATIO/% FRONT/REAR PROPERTY LINE TO SIDE PROPERTY LINES:
 FRONT/REAR = 2,280'
 SIDES = 2,280'
 RATIO = 1:1 OR 50%

31 ACRES

SIDE PROPERTY LINE

REAR PROPERTY LINE

50' REAR SETBACK

REAR PROPERTY LINE

50' REAR SETBACK

REAR PROPERTY LINE

SIDE PROPERTY LINE

FRONT PROPERTY LINE

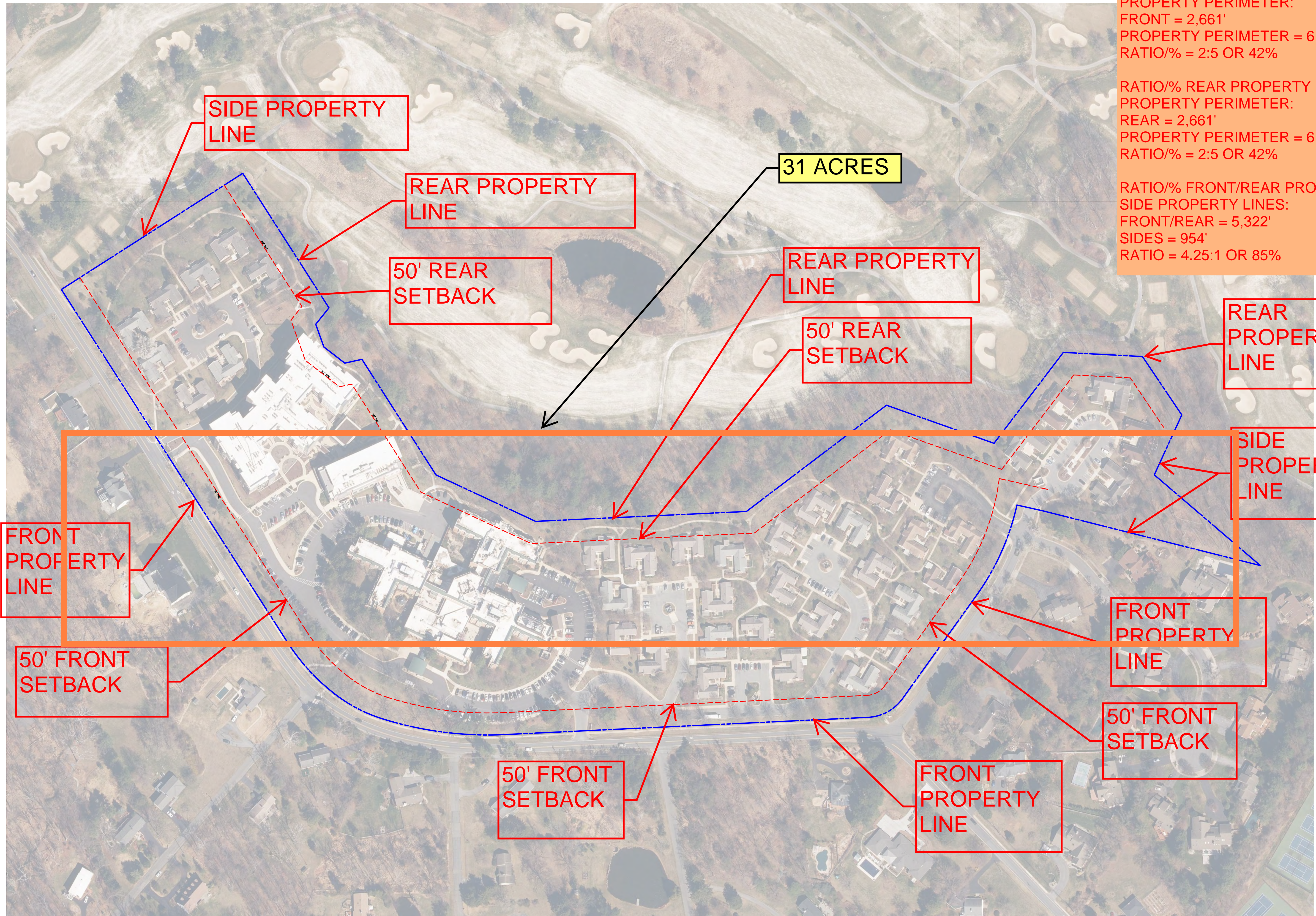
50' FRONT SETBACK

FRONT PROPERTY LINE

50' FRONT SETBACK

50' FRONT SETBACK

FRONT PROPERTY LINE



RATIO/% FRONT PROPERTY LINE TO
 PROPERTY PERIMETER:
 FRONT = 2,661'
 PROPERTY PERIMETER = 6,276'
 RATIO/% = 2:5 OR 42%

 RATIO/% REAR PROPERTY LINE TO
 PROPERTY PERIMETER:
 REAR = 2,661'
 PROPERTY PERIMETER = 6,276'
 RATIO/% = 2:5 OR 42%

 RATIO/% FRONT/REAR PROPERTY LINE TO
 SIDE PROPERTY LINES:
 FRONT/REAR = 5,322'
 SIDES = 954'
 RATIO = 4.25:1 OR 85%

SIDE PROPERTY LINE

31 ACRES

REAR PROPERTY LINE

REAR PROPERTY LINE

50' REAR SETBACK

50' REAR SETBACK

REAR PROPERTY LINE

SIDE PROPERTY LINE

FRONT PROPERTY LINE

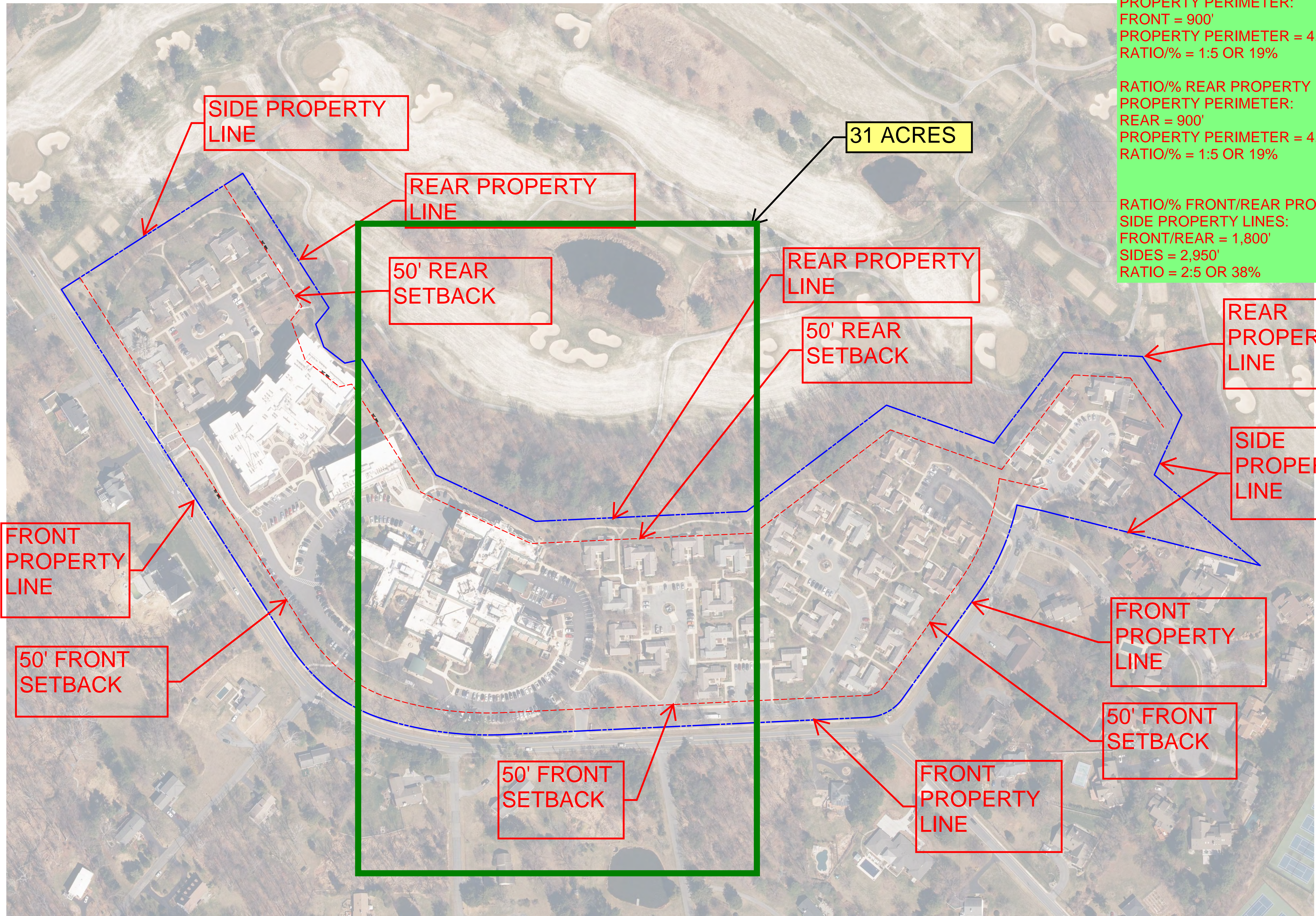
FRONT PROPERTY LINE

50' FRONT SETBACK

50' FRONT SETBACK

50' FRONT SETBACK

FRONT PROPERTY LINE



RATIO/% FRONT PROPERTY LINE TO PROPERTY PERIMETER:
 FRONT = 900'
 PROPERTY PERIMETER = 4,750'
 RATIO/% = 1:5 OR 19%

RATIO/% REAR PROPERTY LINE TO PROPERTY PERIMETER:
 REAR = 900'
 PROPERTY PERIMETER = 4,750'
 RATIO/% = 1:5 OR 19%

RATIO/% FRONT/REAR PROPERTY LINE TO SIDE PROPERTY LINES:
 FRONT/REAR = 1,800'
 SIDES = 2,950'
 RATIO = 2:5 OR 38%

SIDE PROPERTY LINE

31 ACRES

REAR PROPERTY LINE

50' REAR SETBACK

REAR PROPERTY LINE

50' REAR SETBACK

REAR PROPERTY LINE

SIDE PROPERTY LINE

FRONT PROPERTY LINE

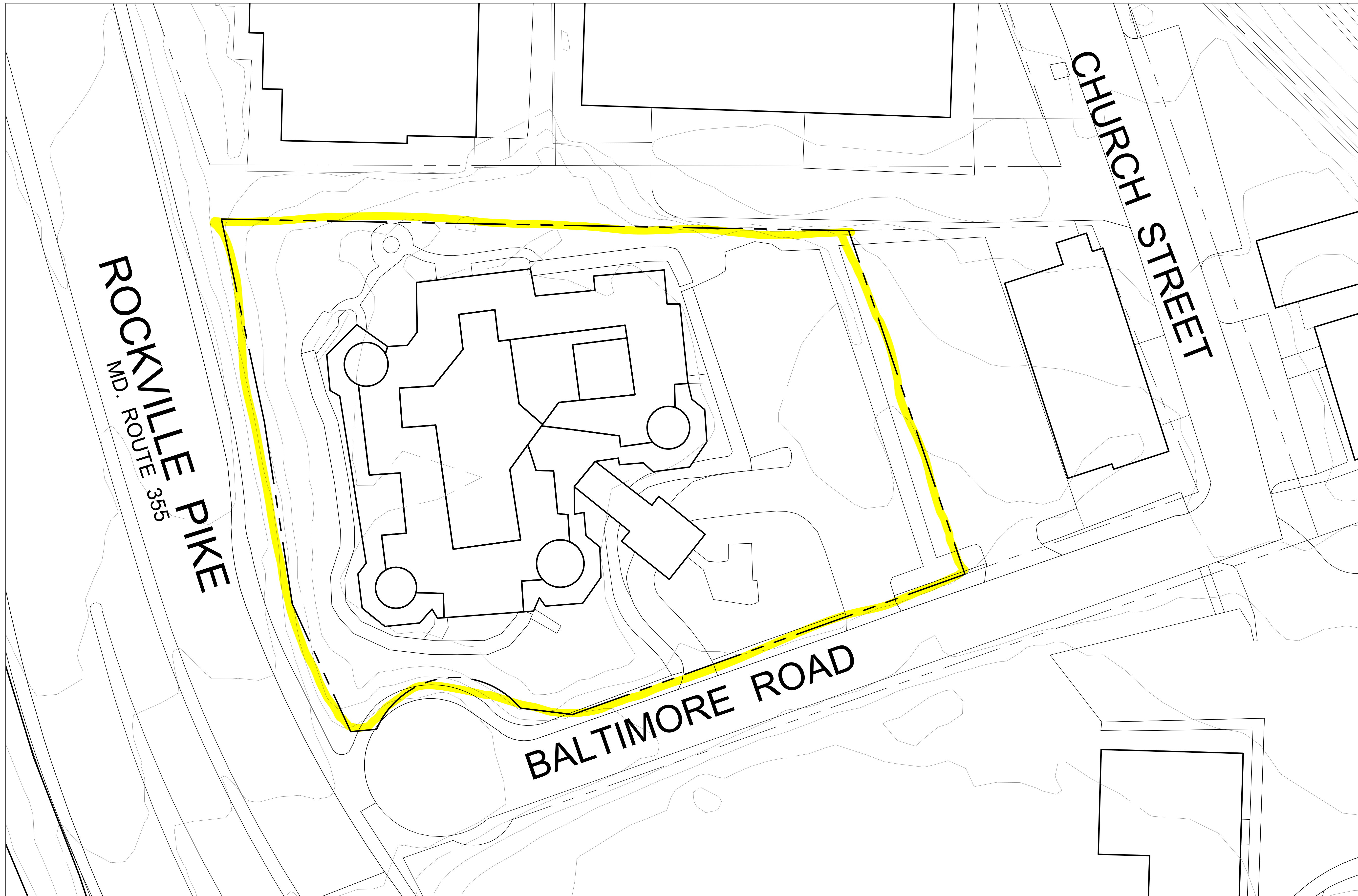
50' FRONT SETBACK

FRONT PROPERTY LINE

50' FRONT SETBACK

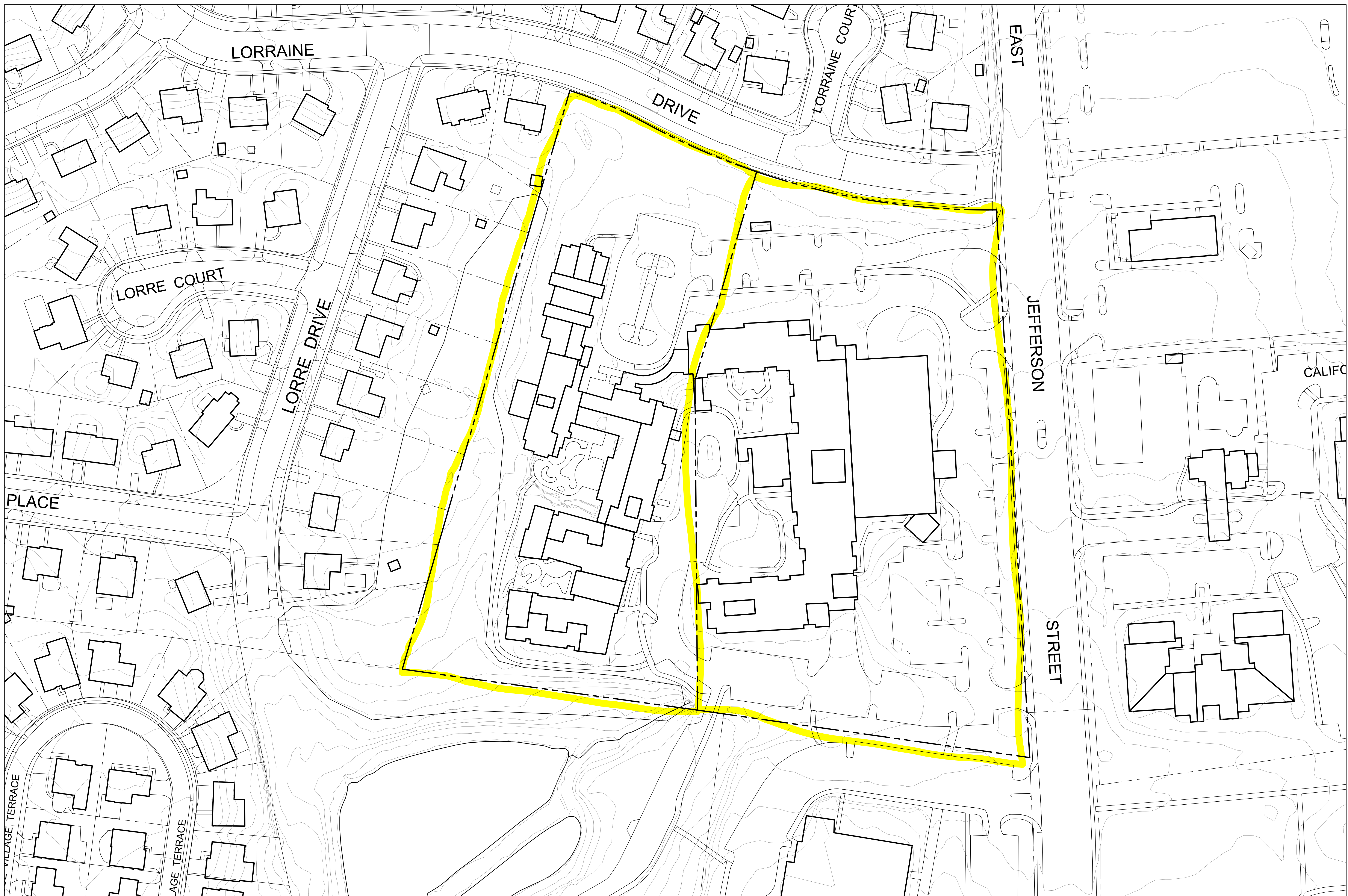
50' FRONT SETBACK

FRONT PROPERTY LINE



8 BALTIMORE ROAD

Scale: 1"=20'



1801 E. JEFFERSON STREET

Scale: 1"=50'