



Agenda for Meeting 02-2026
CITY OF ROCKVILLE BOARD OF APPEALS

Alan Frankle, Chair
Roy Deitchman
Jimmy Hauer

Wednesday, May 20, 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 2026-271-VAR:** The applicant requests a variance from the side yard setback requirements of the R-60 Zone to allow for the construction of a carport on the left side of the property at 203 Nelson Street; Valerie Frank, Applicant. Planner: Chris Davis, 240-314-8201.

- B. Variance Application 2026-303-VAR:** The applicant requests zoning variances from the side and rear yard setback requirements of the R-60 Zone to allow for the construction of a detached two-car garage at 203 Mt. Vernon Place; Lev Rodovskiy, Applicant. Planner: Chris Davis, 240-314-8201.

II. COMMISSION ITEMS

A. OLD BUSINESS

B. NEW BUSINESS

- 1. 2025 Annual Report

C. MINUTES

- 1. April 15, 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 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

Board of Appeals
Meeting No. 02-2026
May 20, 2026

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

Board of Appeals
Meeting No. 02-2026
May 20, 2026

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)

- 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 2026-271-VAR**

MEETING DATE: May 20, 2026

REPORT DATE: May 13, 2026

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

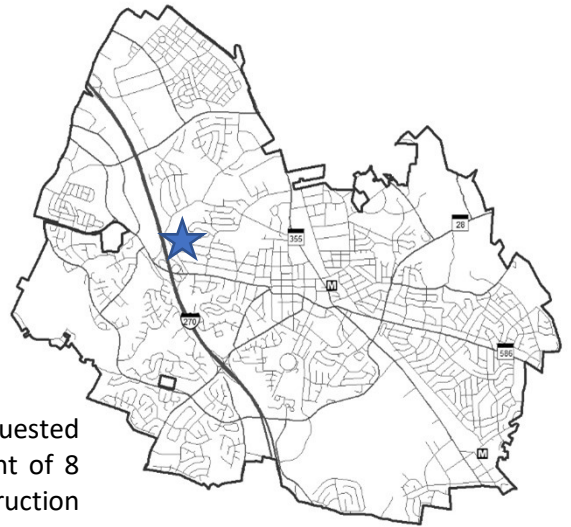
APPLICATION DESCRIPTION: A zoning variance of seven feet is requested from the side yard setback requirement of 8 feet in the R-60 Zone to allow for construction of a carport addition at 203 Nelson Street.

APPLICANT: Valerie Frank
8487 Devon Lane
Walkersville, MD 21793

FILING DATE: March 6, 2026

RECOMMENDATION: Approval, subject to conditions referenced on page 2 of this staff report.

EXECUTIVE SUMMARY: Valerie Frank (the “Applicant”), representing property owner Todd W. Handy, is requesting a zoning variance to complete a carport addition to the residence located at 203 Nelson Street (the “Property”). The Applicant is requesting the variance from Section 25.10.05.a. (Table of Development Standards) of the Zoning Ordinance (the “Ordinance”) to allow a side yard setback of 1 foot in lieu of the required 8 feet in the R-60 Zone to construct



a carport addition to the north-facing side of the existing single-family dwelling.

Background

- Location:** 203 Nelson Street (the “Property”)
- Applicant:** Valerie Frank
- Zoning District:** R-60 (Single Unit Detached Dwelling, Residential)
- Existing Use:** Single Family Residential – Detached Dwelling
- Parcel Area:** 9,135 sq. ft. per Applicant’s site plan
- Building Floor Area:** 1,853 sq. ft. (above grade) per SDAT info.
- Dwelling Units:** One (1) Existing Single - Family Detached Dwelling

Vicinity

Surrounding Land Use and Zoning			
Location	Zoning	Planned Land Use	Existing Use
North	R-60	Residential Detached	Single Unit Detached Dwelling
East	R-60	Residential Detached	Single Unit Detached Dwelling
South	R-60	Residential Detached	Single Unit Detached Dwelling
West	N/A	N/A	Right-of-Way

Site Description

The Property is located on the east side of Nelson Street approximately 150 feet north of its intersection with Beall Avenue in the West End and Woodley Gardens East-West neighborhood, corresponding to Planning Area 4 as specified in the *Rockville 2040 Comprehensive Plan*. The Property is improved with a two-story, single-family detached dwelling, constructed in 1968 according to SDAT. The front and rear yard areas contain landscaping and a variety of tree plantings. The property is encumbered by extremely steep topography in the rear yard. Vehicular access is provided to the Property via an existing driveway from Nelson Street. The Property is a single record lot known as Lot 77 of Block 21 found on a plat of subdivision entitled “West End

Park,” Plat No. 9028 of the Land Records of Montgomery County, Maryland. The lot is approximately 9,135 square feet in total area.

As shown on the Applicant’s submitted site plan, the dwelling is situated centrally and toward the front half of the Property, similar to other dwellings on Nelson Street. However, the Property is encumbered by increasing elevation in the rear yard which limits the area where a carport could be located.



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

PROJECT PROPOSAL

The Applicant proposes to cover a portion of their existing driveway along the north-facing side of the dwelling with a 14.5-foot x 23-foot carport. The carport is proposed to be approximately 9 feet in height and will be attached to the home according to the site plan. The Applicant indicates that construction of the carport would increase the livability of their home and improve use of the Property by allowing for a convenient and safe transition space for ingress and egress between vehicles and the side-entry of the home while providing protection from outdoor elements and weather throughout the year.



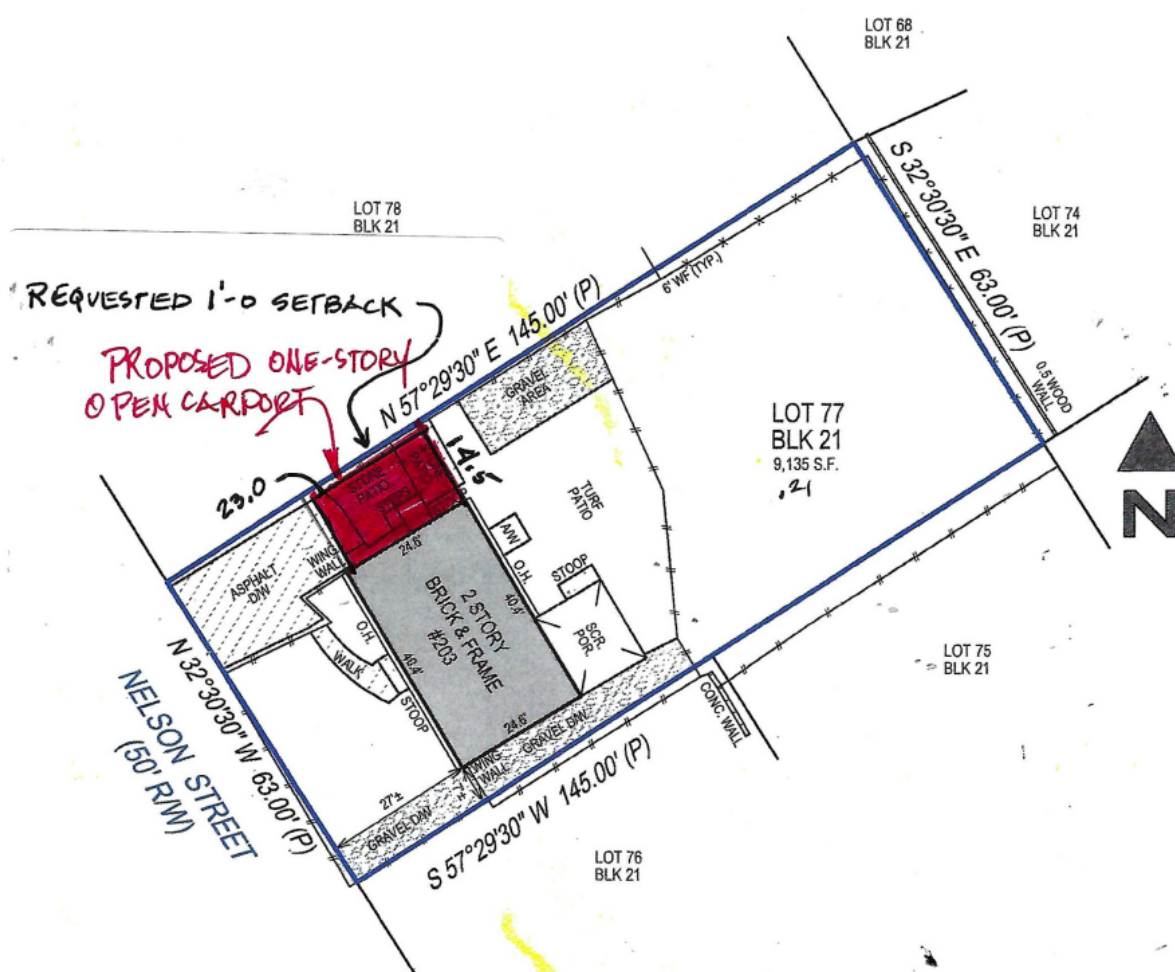
Rear yard view of the Property (Source: Redfin & BrightMLS)

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.

REQUESTED VARIANCE

The Applicant has requested a variance from the side yard setback requirement of 8 feet in the R-60 Zone in order to construct an attached 14.5 x 23-foot carport over the existing driveway. The proposal to cover a portion of the existing driveway with the carport would encroach into the side yard setback and necessitates the granting of a variance. The Applicant requests a side yard setback of 1 foot representing a variance of 7 feet to permit construction of the proposed carport. The Applicant's proposed site plan is shown below.



Proposed Site Plan (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

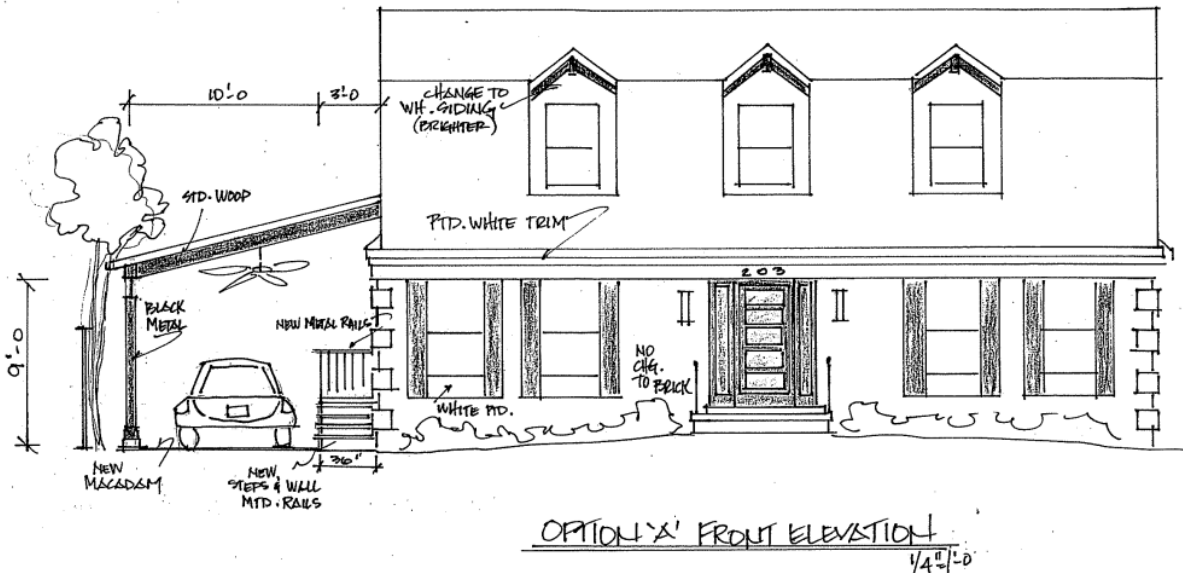
In accordance with Section 25.06.03.e. of the Ordinance, a variance may be granted by the Board of Appeals if it finds that:

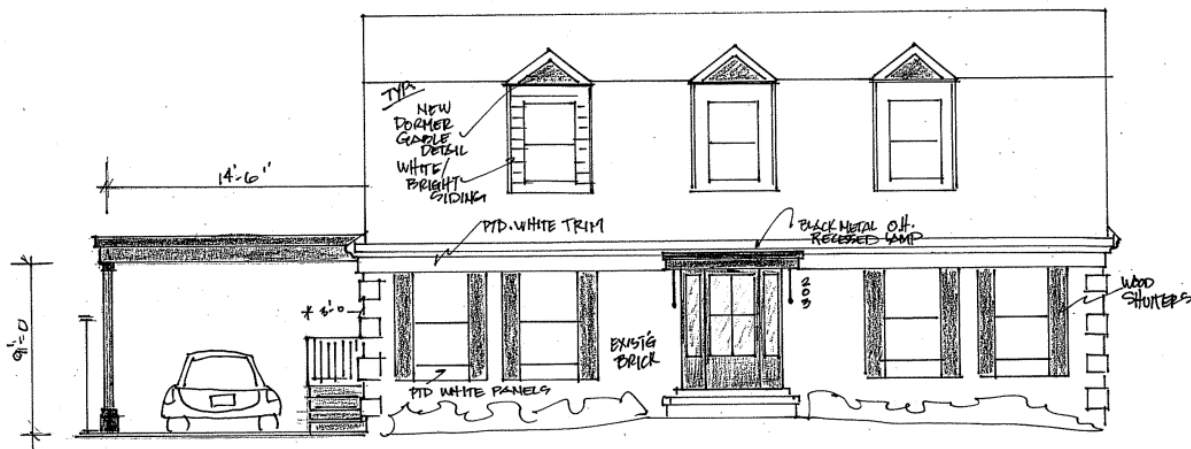
- 1) *The variance as requested would not be contrary to the public interest.*

Staff finds that the requested variance would not be contrary to the public interest.

The Property is currently improved with a two-story detached single-family dwelling which has been in existence in the neighborhood for approximately 60 years. The majority of the surrounding dwellings have also been in existence for similar periods and several neighboring properties have been improved with attached carports along their side yard property lines. In review of the zoning ordinance in effect at the time of the 1960s construction, carports were permitted to encroach into the side yard setback and many of the surrounding homes with carports may have utilized such provisions to encroach into their side yard setback areas. However, this allowance for carport encroachments was discontinued in later zoning ordinances in the 1970s. The footprint of the proposed carport will occupy a portion of the existing driveway and will be of a complementary scale to the rest of the dwelling so as not to conflict with the aesthetics or use of the dwelling. The Applicant is considering two roof options for the proposed carport including a gabled and a flat option. The proposal is not anticipated to have any adverse impacts to neighboring properties as the proposed improvements will not be out of character with other dwellings and will be contained wholly within the Property. The proposed improvements will allow the property owner to increase use of the Property while maintaining the overall aesthetics of the home 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.





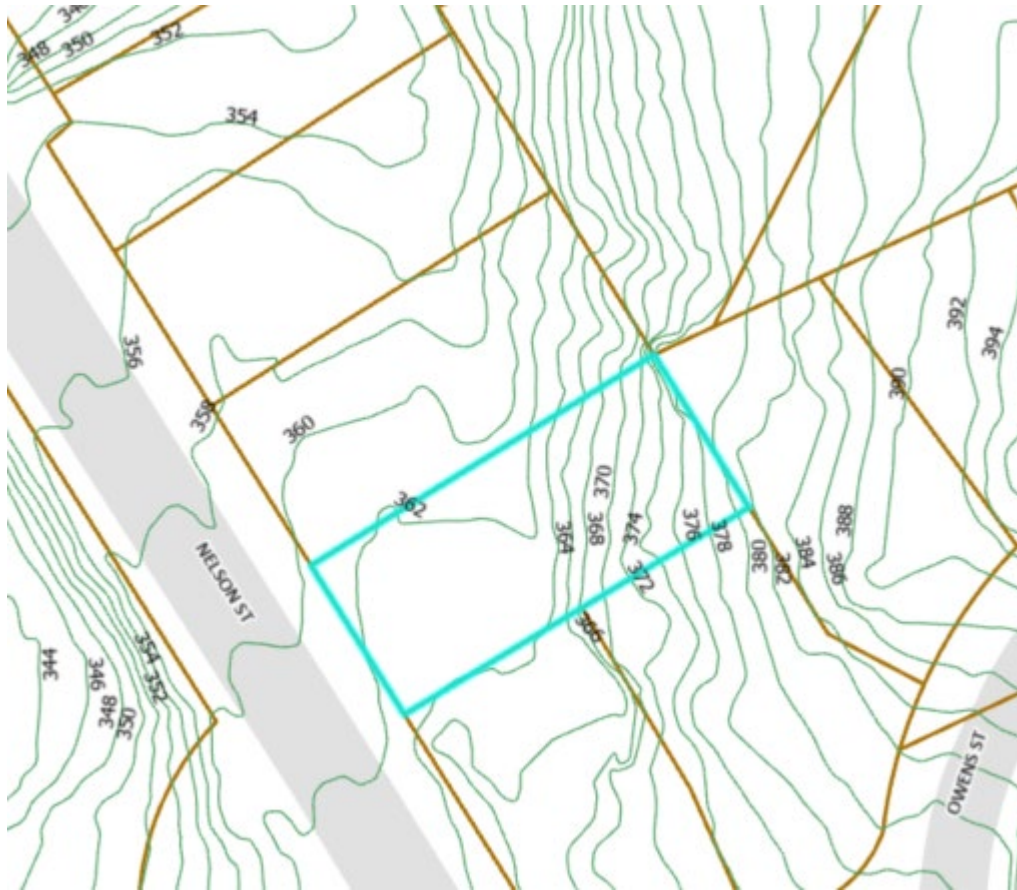
OPTION 'B' FRONT ELEVATION
1/4"=1'-0"

Proposed carport elevation options. (Source: 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 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 encumbered by varying topography which limits the location to which the proposed carport could be located on the Property. As previously mentioned, the property experiences severe grade changes in the rear yard where the property slopes upward as much as 12 feet from the rear of the home to the rear property line. Given the changes in grade, the side of the dwelling where the carport is proposed is also where the changes in grade are much less and the land is relatively flat compared to the rear yard area. While such grade changes are observed on neighboring properties along Nelson Street, the extent and intensity of the grade changes appear to be most prominent to this property. Neighboring properties appear to show more gradual changes from front to rear. However, the existing grades appear to be more abruptly changing on the subject Property. The changes in topography result in peculiar conditions to the Property and create significant limitations to improvements on the Property.



Contour Map of the Property. The most level areas of the Property are on the north half of the Property where the carport is proposed. (Source: City of Rockville GIS)

Staff finds that these peculiar site conditions are attributable to the Property and are not due to 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 a convenient and safe access area to and from the dwelling and their vehicles. The Applicant has communicated that completion of the carport in the proposed location will allow the Applicant to complete the proposed improvement in the most practical location on the side where there currently is entry from the existing driveway, not unlike similar side carports constructed on neighboring properties. The proposed carport would also allow the Applicant to continue to enjoy the flat portion of their rear yard area which is a small fraction of the overall rear yard area given the large expanse encumbered by increasing grades. The opposite south side of the home currently maintains a narrower 7-foot setback compared to the north side property line. Given this

narrowness on the opposite side and the fact that the existing driveway and side-entry is currently located on the northern side of the home, it is most practical to locate the carport on this side of the Property. Additionally, placing the carport on the opposite south side of the building would also trigger encroachments into the opposite side yard setback, also necessitating a variance as well as creating additional practical difficulties to construct a new apron and driveway on that north side of the dwelling.

Due to conditions unique to this Property, namely the extensive varying topography, any effort to improve the dwelling with a side carport in a manner similar to other properties 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 variance 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;
- Provide attractive, high-quality development and design that enhances the community's quality of life; and
- 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 including single-family detached as an appropriate use of the subject property, and the Applicant’s proposal will further solidify such use. 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 Applicant's quality of life through enhanced use of the Property.

The granting of the variance 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 side yard setback of 1 foot in lieu of the required 8 feet (a 7-foot variance), for the construction of a carport addition to the existing dwelling, subject to the following conditions:

- 1) The proposed carport addition 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

 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>



Land Uses

 C - Commercial

 CI - Civic and Public Institutional






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:
Valerie Frank

Online Request #: 3272004

Project #: 2026-271-VAR

Location: **203 NELSON ST**

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

Contact Information

Applicant's Contact Information

Title: First Name: **Valerie** Last Name: **Frank** Suffix:

Business Name: **New Outlook Home Design**

Mailing Address: **8487 Devon Ln**

City: **Walkersville** State: **MD** Zip: **21793**

Property Owner's Contact Information

Title: First Name: **Todd and Vivian** Last Name: **Handy** Suffix:

Business Name:

Mailing Address: **203 Nelson Street**

City: **Rockville** State: **MD** Zip: **20850**

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

Lot(s) 77

Block 21

Zoning R-60



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"

Proposal to construct open carport to left side of house

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

.21

From what zoning ordinance requirement is the variance being requested?

side yard building restriction of 8'-0



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. 7'-0

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

The rear of the lot is a uniquely steep and rocky slope and so a detached rear yard location is not reasonable.

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

Many other homes on this busy street have this type of open carport directly on the property side yard lot line.

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

The installation of an open carport directly increases the usability of the home. Very appealing addition type for family home use.

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

This variance approval would not be inconsistent with this chapter's support of residential uses. Approval of the is variance would not negatively affect the public health, safety and general welfare.

Was there a Pre-Submission Meeting? *

Yes

When was the Pre-Submission meeting? *

03/03/2026

Documents Uploaded

The following documents are attached to the Application.

A site plan showing how the variance will affect the surrounding properties **handy proposed survey.pdf**

Elevations of proposed structure **handy 11 4 2025.pdf**



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

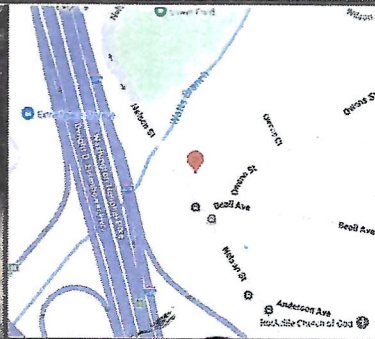


You can complete this application and view updates online at [MGO Connect](#)

RGStitle

REAL ESTATE SETTLEMENTS

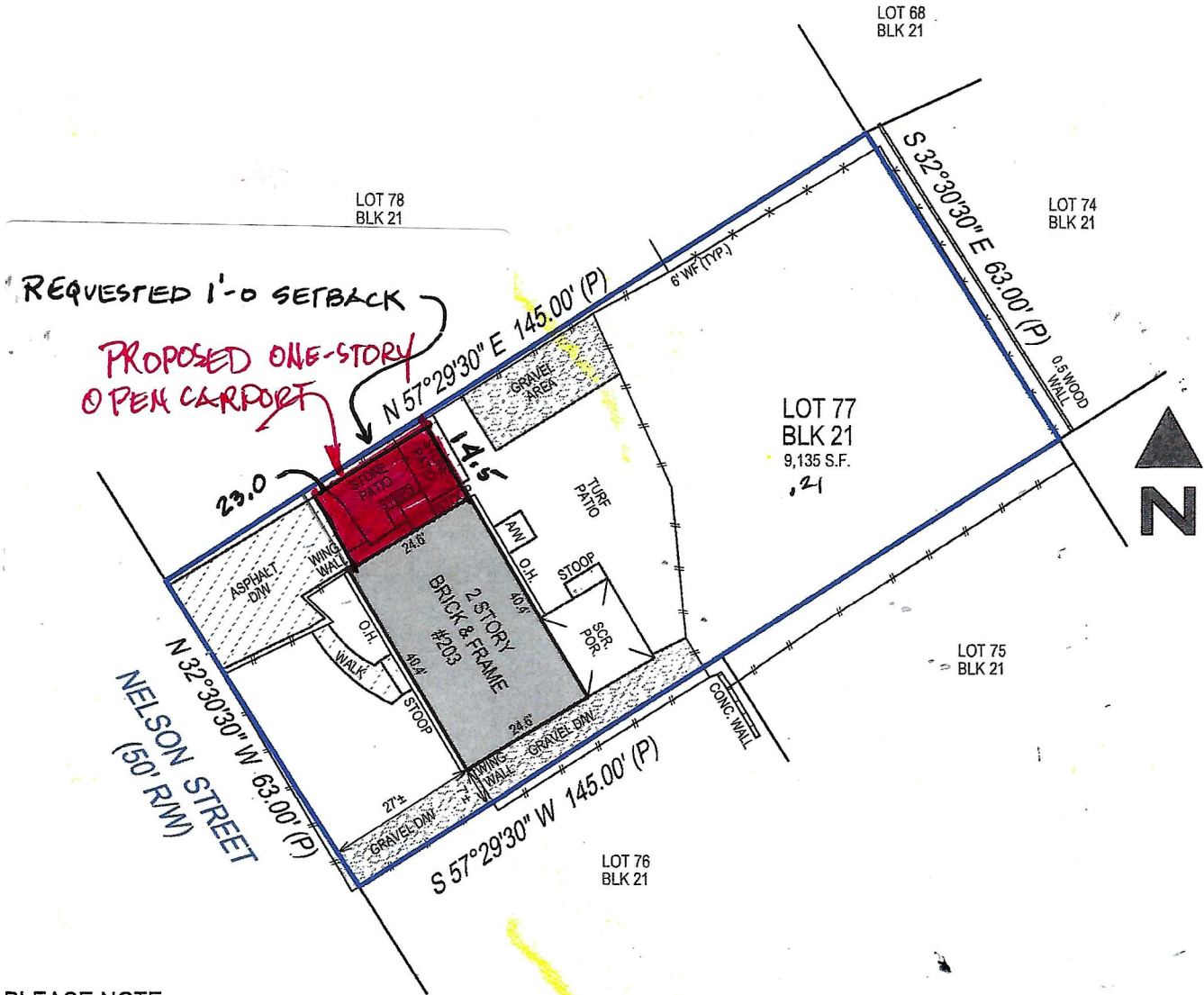
795 Rockville Pike | Rockville | MD, 20852
301.230.0070 | www.rgstitle.com



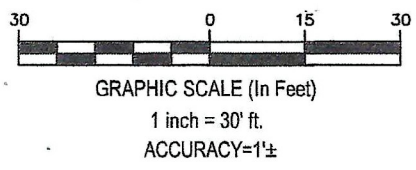
PROPERTY ADDRESS: 203 NELSON STREET, ROCKVILLE, MARYLAND 20850

SURVEY NUMBER: 2506.5352

2506.5352
LOCATION DRAWING
MONTGOMERY COUNTY

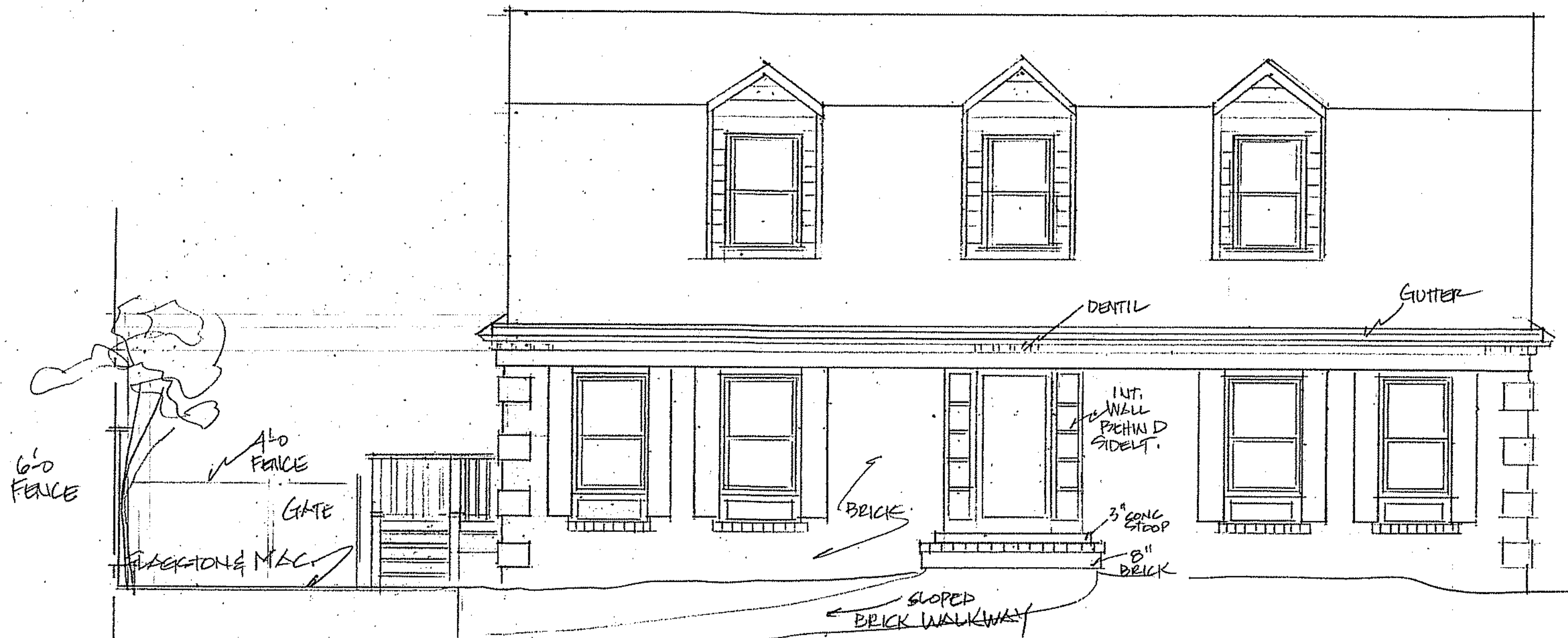


PLEASE NOTE
Per Maryland State Code, Sec. 09.13.06.06, this House Location Drawing is not to be relied upon to determine property boundaries or the establishment or location of existing or future improvements.

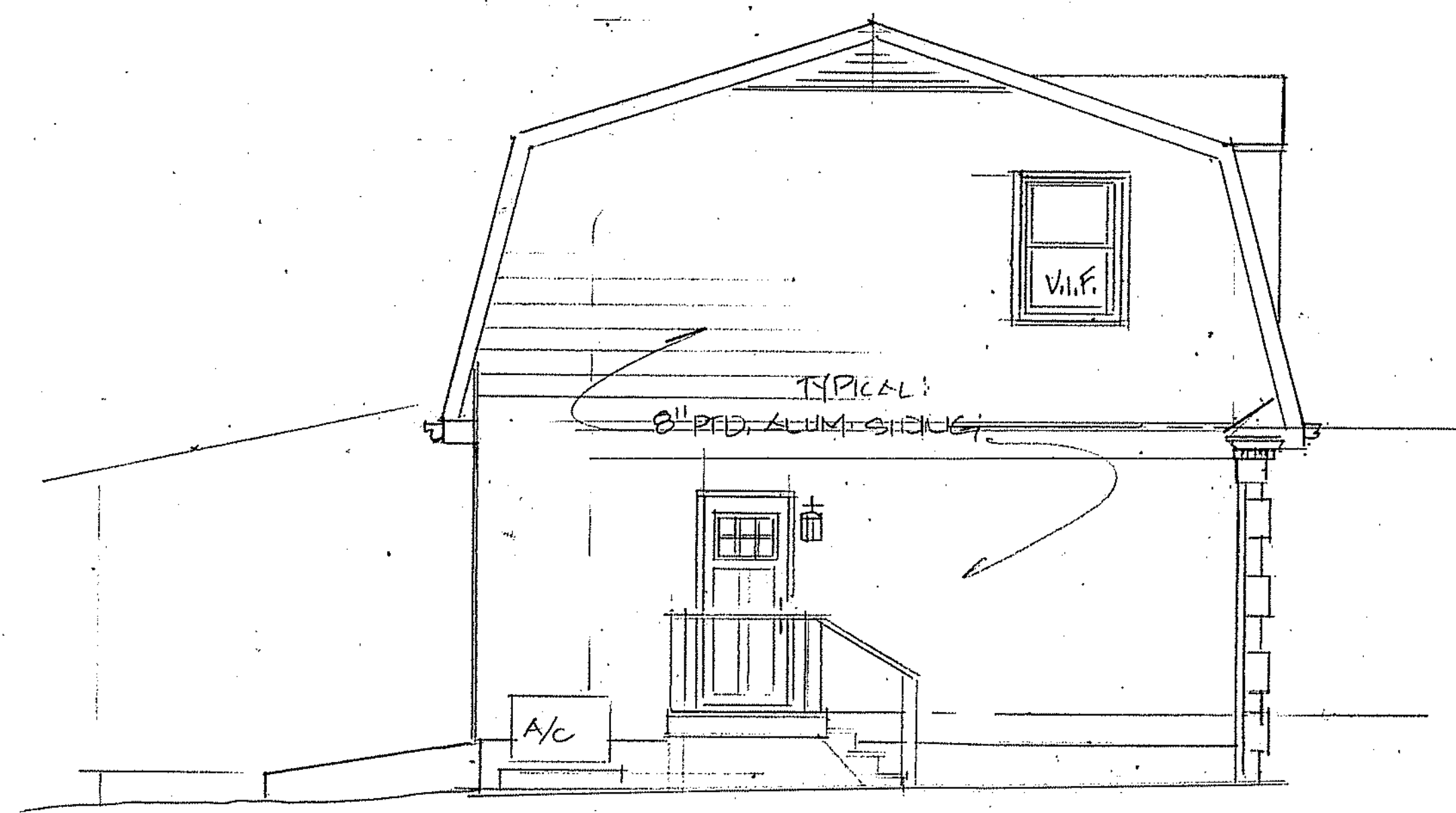


SURVEYORS CERTIFICATION:
THE INFORMATION SHOWN HERON HAS BEEN BASED UPON THE RESULTS OF A FIELD

POINTS OF INTEREST:
FENCE EXTENDS OVER PROPERTY LINE

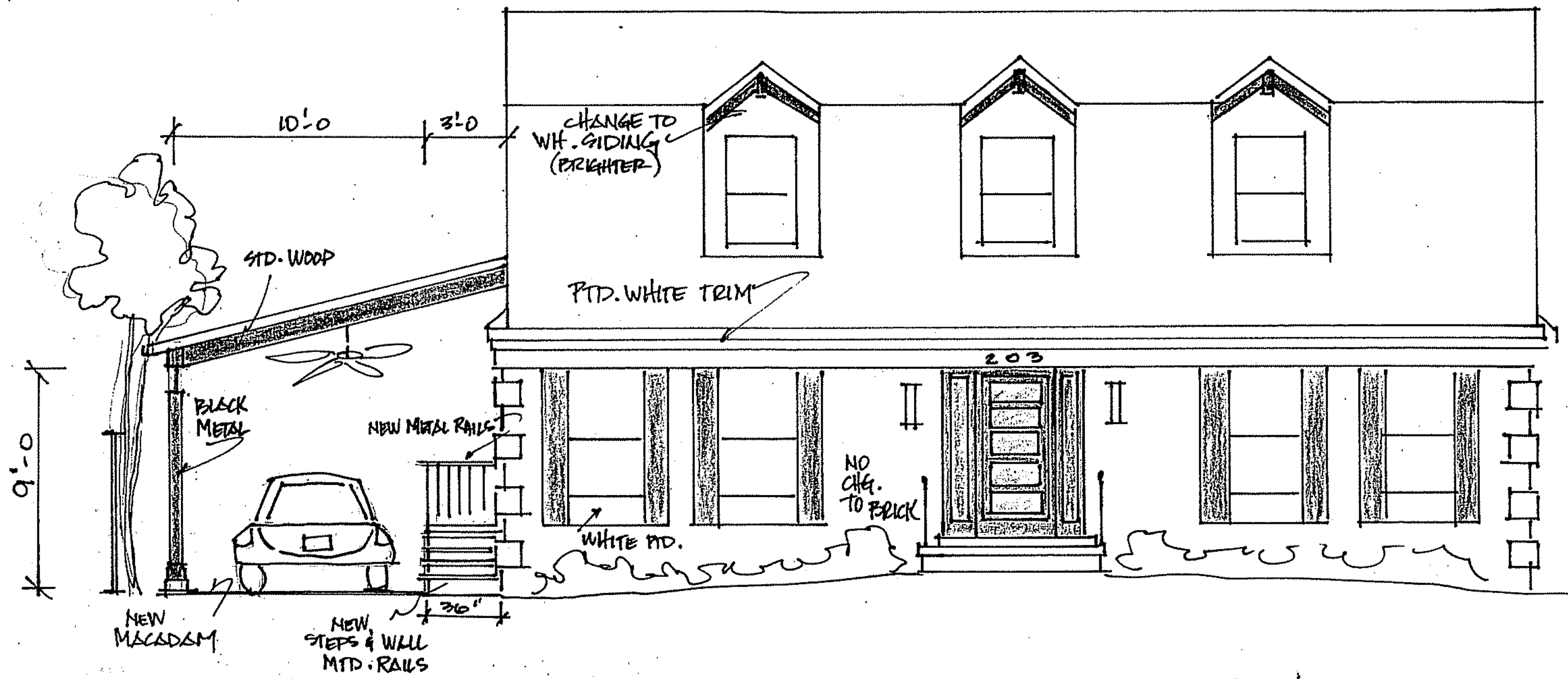


EXISTING FRONT ELEVATION
1/4" = 1'-0"

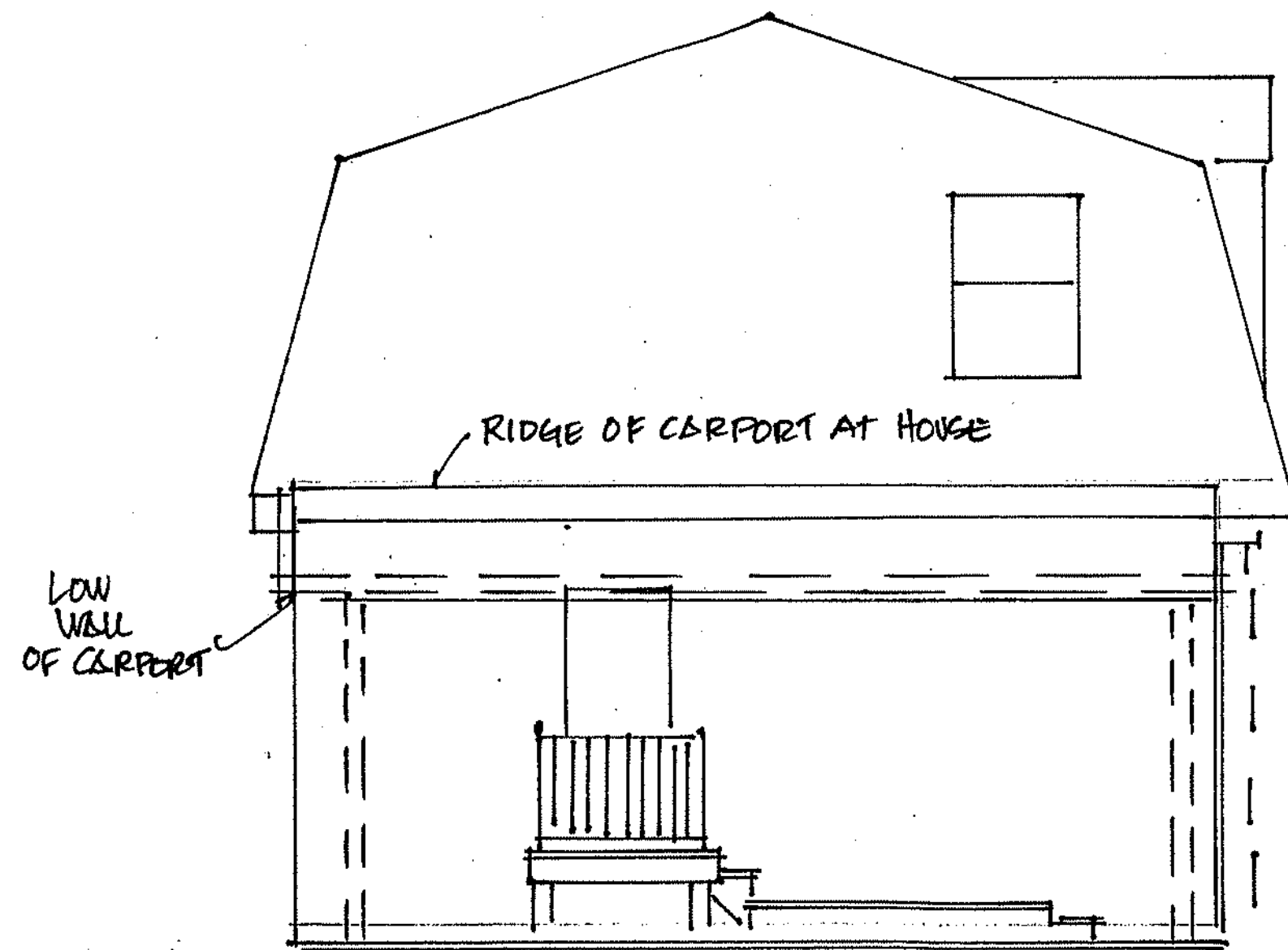


EXISTING SIDE ELEVATION
1/4" = 1'-0"

HANDY RESIDENCE		
SCALE: AS SHOWN	APPROVED BY:	DRAWN BY
DATE: 10.10.25		REVISED
203 NELSON STREET		
ROCKVILLE, MD 20850		DRAWING NUMBER



OPTION 'A' FRONT ELEVATION
 1/4" = 1'-0"





OPTION 'B' FRONT ELEVATION
1/4"=1'-0"



**Board of Appeals Staff Report
Variance Application 2026-303-VAR**

MEETING DATE: May 20, 2026

REPORT DATE: May 13, 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 setback requirements for accessory buildings in the R-60 Zone to allow for construction of a detached garage at 203 Mount Vernon Place.

APPLICANT: Lev Rodovskiy
203 Mount Vernon Place
Rockville, MD 20852

FILING DATE: March 25, 2026

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

EXECUTIVE SUMMARY: Lev Rodovskiy, property owner (also known as the “Applicant”), is requesting zoning variances in order to construct a detached garage at 203 Mount Vernon Place (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 5 feet and a rear yard setback 3 feet, both in lieu of the required 12 feet in the R-60 zone to construct a 17-foot 8-1/2 inch-tall detached garage in the rear yard of the Property.

Background

- Location:** 203 Mount Vernon Place (the “Property”)
- Applicant:** Lev Rodovskiy
- Zoning District:** R-60 (Single Unit Detached Dwelling, Residential)
- Existing Use:** Single Family Residential – Detached Dwelling
- Parcel Area:** 6,925 sq. ft. per SDAT info.
- Building Floor Area:** 1,845 sq. ft. (above grade) per SDAT info.
- Dwelling Units:** One (1) Existing Single - Family Detached Dwelling

Vicinity

Surrounding Land Use and Zoning			
Location	Zoning	Planned Land Use	Existing Use
North	R-60	Civic and Public Institutional	Richard Montgomery High School
East	R-60	Residential Detached	Single Unit Detached Dwelling
South	R-60	Residential Detached	Single Unit Detached Dwelling
West	R-60	Residential Detached	Single Unit Detached Dwelling

Site Description

The Property is located on the north side of Mount Vernon Place approximately 130 feet west of its intersection with East Jefferson Street in Planning Area 3, corresponding to the Hungerford, New Mark Commons, Lynfield and Fireside Park areas in the *Rockville 2040 Comprehensive Plan*. The Property is improved with a two-story, single-family detached dwelling, constructed in 1956 according to SDAT. The front and rear yard areas are accompanied by landscaping and tree plantings on a gently upward sloping property from front to rear. Vehicular access is provided to

the Property via an existing driveway from Mt. Vernon Place to the southwest side of the dwelling. The Property is a single record lot known as Lot 2 of Block 8 found on a plat of subdivision entitled "Section Four, Hungerford," Plat No. 4217 within the Land Records of Montgomery County, Maryland. The lot is approximately 6,925 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 Mount Vernon Place.



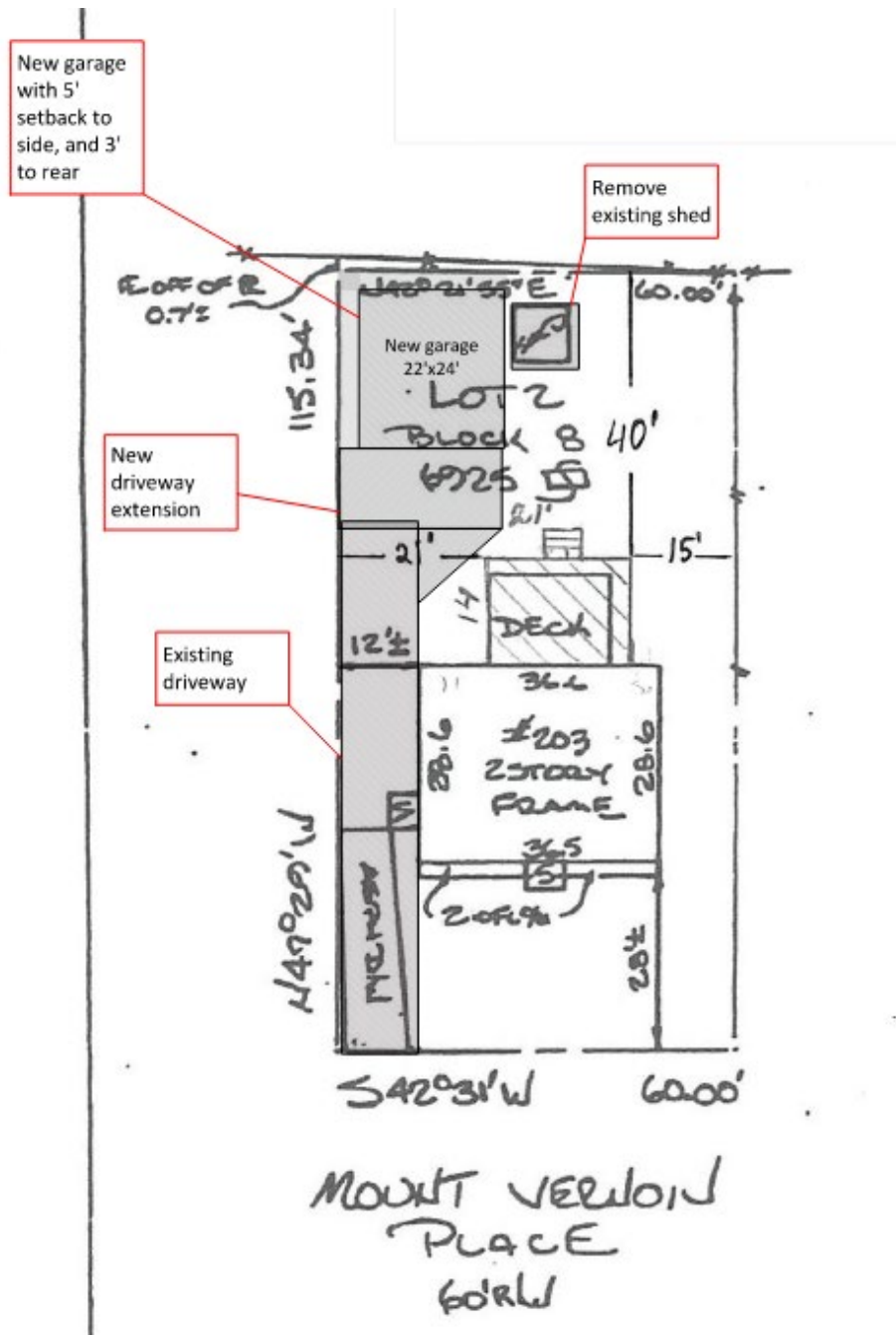
Street view of the Property circa 2022 (Source: Google)

PROJECT PROPOSAL

The Applicant proposes to construct a 22-foot x 24-foot detached garage in the rear yard. According to the Applicant's submitted plans, the garage will be 17-feet 8-1/2 inches-tall and will be designed to accommodate a two-car garage and additional attic space for storage. The Applicant indicates that construction of the garage would increase use of the Property by providing additional parking and storage area for vehicles and household items, given the modest size of the existing 1,845 square foot home.

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.



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 construct a detached garage in the rear yard via an extension of the existing driveway. 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 additional setback 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 proposed building height, the construction of a detached garage in the location shown of the rear yard would be prohibitive without the granting of a variance. The Applicant requests a side yard setback of 5 feet and a rear yard setback of 3 feet, representing variances of 7 feet and 9 feet respectively. The Applicant's proposed site plan is shown below.

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:

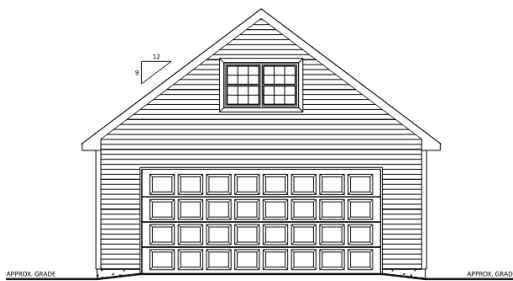
- 1) *The variance as requested would not be contrary to the public interest.*

Staff finds that the requested variance would not be contrary to the public interest.

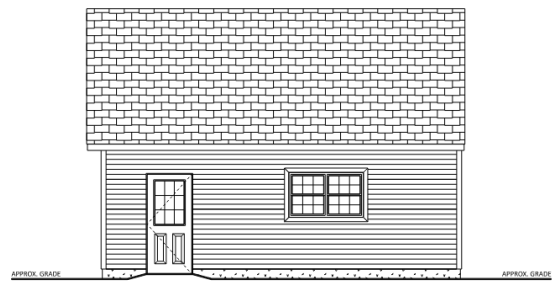
The Property is currently improved with a two-story detached single-family dwelling which has been in existence in the neighborhood for approximately 70 years. The majority of the surrounding dwellings have also been in existence for similar periods and several neighboring

properties have been improved with detached garages in their rear yards. The Applicant’s immediate neighbor at 205 Mount Vernon Place has submitted a letter of support for the Applicant’s request. This neighbor has also confirmed that they have constructed a similar detached garage in their rear yard and have provided testimony to support the Applicant’s proposal as a positive improvement for the Property. The proposed garage will comply with building footprint standards required for accessory dwellings and will be appropriately subordinate in scale and proportion to the main dwelling so as not to conflict with the aesthetics or use of the home. The proposal is not anticipated to have any adverse impact on neighboring properties as the proposed improvements will not be out of character with other similar improvements made on neighboring properties and the garage will be contained wholly within the Property. The proposed improvements will allow the Applicant to increase use of the Property and will not be contrary to the public interest.

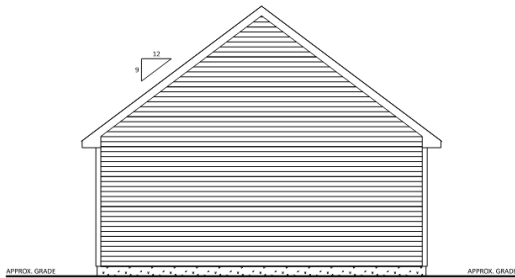
At the time of completion of this report, no letters of opposition to the Applicant’s request have been received.



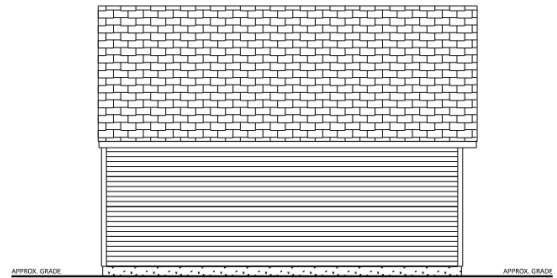
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"

Proposed carport elevation options. (Source: 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.*

At 6,925 square feet in area and generally rectangular in shape, the Property is the smallest in overall size observed amongst the immediately surrounding properties and among the smallest within nearby sections of the overall Hungerford subdivision. The average lot size of the surveyed neighboring properties was found to be 8,569 square feet, representing an approximately 24% larger lot size when compared to the subject property. While there are properties to the south on East Jefferson Street with similar overall rectangular shapes, they all are slightly larger at approximately 4% greater in size, coming from slightly deeper lot configurations. Beyond these lots, the remaining surrounding properties only increase in size with the greatest difference being a neighboring lot which is 148% greater in size as compared to the Property.

Being the smallest Property amongst its neighbors, the Property is correspondingly limited in area to improve the Property with an accessory building as compared to others. As also shown on the plat markup below, the immediately abutting property at 205 Mount Vernon Place (Lot 1) property is approximately 30% larger than the Property. The other abutting property at 201 Mount Vernon Place (Lot 3) is shown to be 35% larger than the Property according to the original 1955 plat. However, SDAT records show that the property size for 201 Mount Vernon Place has increased from its original size of 9,374 square feet to 12,734 square feet, thus making this property approximately 83% larger than the subject Property. When compared to its neighbors, the Property is noticeably limited in developable area given its limited lot size, and subsequently, is disproportionately limited in building setbacks to construct improvements such as a detached garage, when compared to neighboring lots.



Depiction of current lot configurations. While both abutting properties are larger than the subject Property, 201 Mount Vernon Place has increased in size since its original subdivision and is currently nearly twice the size of the subject Property. (Source: Provided by City of Rockville)

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 storage area for a vehicle and household belongings to supplement the modest size of the existing 1950's era home. The Applicant has communicated that completion of the garage in the proposed location will allow the Applicant to complete the proposed improvement in the most practical location on the southwest side of the Property where there currently is access from the existing driveway, not unlike similar rear yard detached garages on neighboring properties. While it appears that the garage could be relocated more centrally to potentially meet the required setbacks, such arrangement would most likely require reorienting the garage perpendicularly and further expanding the driveway to allow vehicular access from the existing driveway, rather than orienting the garage to be parallel with the existing driveway as proposed. It would also constrain most use of the rear yard area if the garage was required to be located to a more centralized location in the rear yard to meet the required setbacks. The proposed garage will allow an attic area for storage, which necessitates the proposed building height at approximately 17 feet. While literal application of the Zoning Ordinance would require a shorter height at 12 feet to meet the minimum required setbacks, it would create a practical difficulty for the property owner in requiring such storage area to be established most practically through either a building addition onto the main home or establishment of an additional accessory structure in the rear yard. Given the size of the lot and current siting of the dwelling, providing additional storage would require additional lot coverage and impervious cover on a property that is already constrained in size in comparison to its neighbors. The proposed design of the garage for both vehicle and attic storage will make for more efficient use of land for a property already deficient in size as compared to its neighbors and will avoid the practical difficulty of needing additional accessory buildings for storage and further yard coverage in lieu of meeting the height requirements for the proposed garage.

Due to conditions unique to this Property, namely the smaller property size, efforts to improve the Property with the proposed garage would create several practical challenges for continued use of the Property in a similar manner to others in the neighborhood. Therefore, literal application of the Ordinance requirements would create 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;
- Provide attractive, high-quality development and design that enhances the community's quality of life; and
- 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 including single-unit detached dwellings as an appropriate use of the subject property, and the Applicant’s proposal will further solidify such use. 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 Applicant’s quality of life through enhanced use of the Property. Approval of the variances will permit a flexible building and site design to respond to the unique property size of the lot, in accordance with the Ordinance.

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 variances to allow a side yard setback of 5 feet and a rear yard setback of 3 feet, both in lieu of the required 12 feet (representing variances of 7 feet and 9 feet respectively), for the construction of a 17-foot 8-1/2 inch-tall detached garage in the rear yard of the Property, subject to the following conditions:

- 1) The proposed detached garage 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

 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

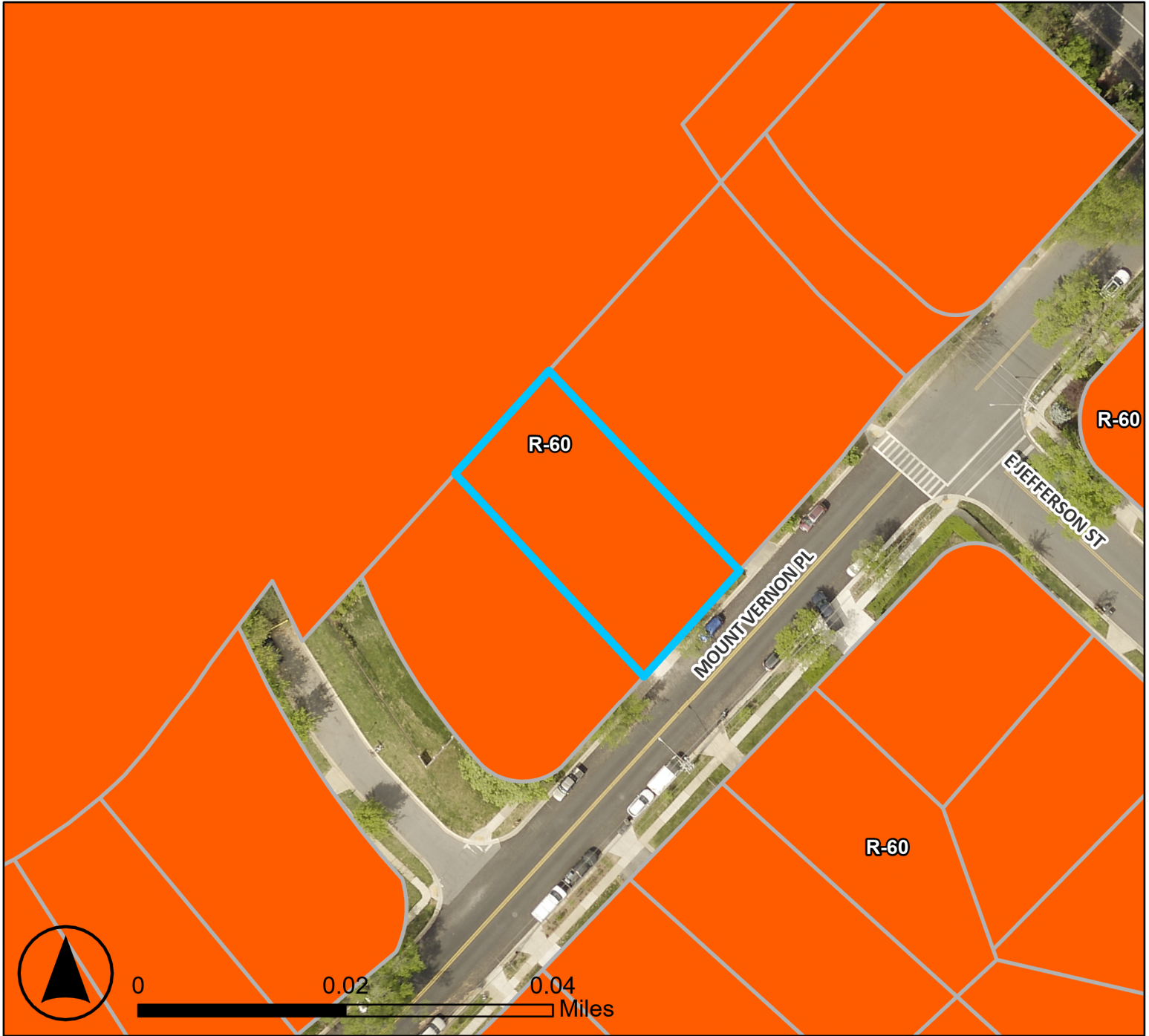
 SRM - Service Industrial and Residential Mix

 <all other values>



Land Uses

 C - Commercial


 CI - Civic and Public Institutional




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:
Lev Rodovskiy

Online Request #: 3309150

Project #: 2026-303-VAR

Location: **203 MOUNT VERNON PL**

City: **ROCKVILLE** State: **MD** Zip: **20852**

Contact Information

Applicant's Contact Information

Title: First Name: **Lev** Last Name: **Rodovskiy** Suffix:

Business Name:

Mailing Address: **203 Mt Vernon PI**

City: **Rockville** State: **MD** Zip: **20852**

Property Owner's Contact Information

Title: First Name: **Lev** Last Name: **Rodovskiy** Suffix:

Business Name:

Mailing Address: **203 Mt Vernon PI**

City: **Rockville** State: **MD** Zip: **20852**

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

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

The size of the lot and the location of the driveway along the property line make the proposed placement of the new garage the only feasible option (aerial photograph attached). Moving the structure an additional 12 feet from the lot line as required by the ordinance would necessitate removing a healthy magnolia tree in the backyard, and would locate the garage too close to the home. It would also render the existing backyard largely unusable.



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

Was there a Pre-Submission Meeting? * Yes

FILING DEADLINES * True

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

From what zoning ordinance requirement is the variance being requested? 25.09.03

Size of Property * 0.157
In acres

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

The additional height of the proposed garage over 12 feet is to accommodate a walk-up attic storage space, which is needed to make up for the relative lack of storage in the 1950s-built original home. Additionally, because of the placement of the home and driveway, parking continues to be a challenge, especially during the school year, when students from Richard Montgomery HS park on the street in front of our house.

Lot(s)

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.

Please describe the exact amount of variance(s) requested in feet or inches. 9 feet



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

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

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

The granting of the variance will not be contrary to the public interest or injurious to the neighborhood. The proposed garage is consistent with all other zoning ordinances for a residential lot.

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

Zoning

When was the Pre-Submission meeting? *

3/5/2026



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

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

The proposed location of the garage only affects the property owners at 205 Mt. Vernon Pl. to the left of the lot. This adjacent lot already has a 15 foot-tall garage only 5 feet from the property line. The proposed placement of the new garage would not adversely affect the appearance of the property. In the attached letter, our neighbor, Seth Weissman, who owns and resides at 205 Mt. Vernon Place endorses the proposed design. The back of the lot abuts an easement to the baseball field at Richard Montgomery HS. The easement is overgrown with shrubs and does not affect the School in any way.

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

Block

Project Description *

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

Construction of new detached two-car garage

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

Subdivision



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 **203 mt. vernon pl site plan variance.pdf**

Elevations of proposed structure **203 mt vernon pl elevations.pdf**

Other Files **203 mt vernon pl neighbor endorsment.pdf**



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

CASE No.

NOTE: This location for title purpose only — not to be used for determining property lines. Property corner markers not guaranteed by this location.

NOTE: FLOOD ZONE LINES ARE NOT GUARANTEED BY THIS SURVEY. A FLOOD EVALUATION SURVEY WILL BE REQUIRED TO ESTABLISH THE LIMITS OF FLOOD ZONES THAT MAY AFFECT THIS PROPERTY.

FLOOD ZONE C
COMMUNITY PANEL
NO.: 240051-00043
DATED: 1-3-78

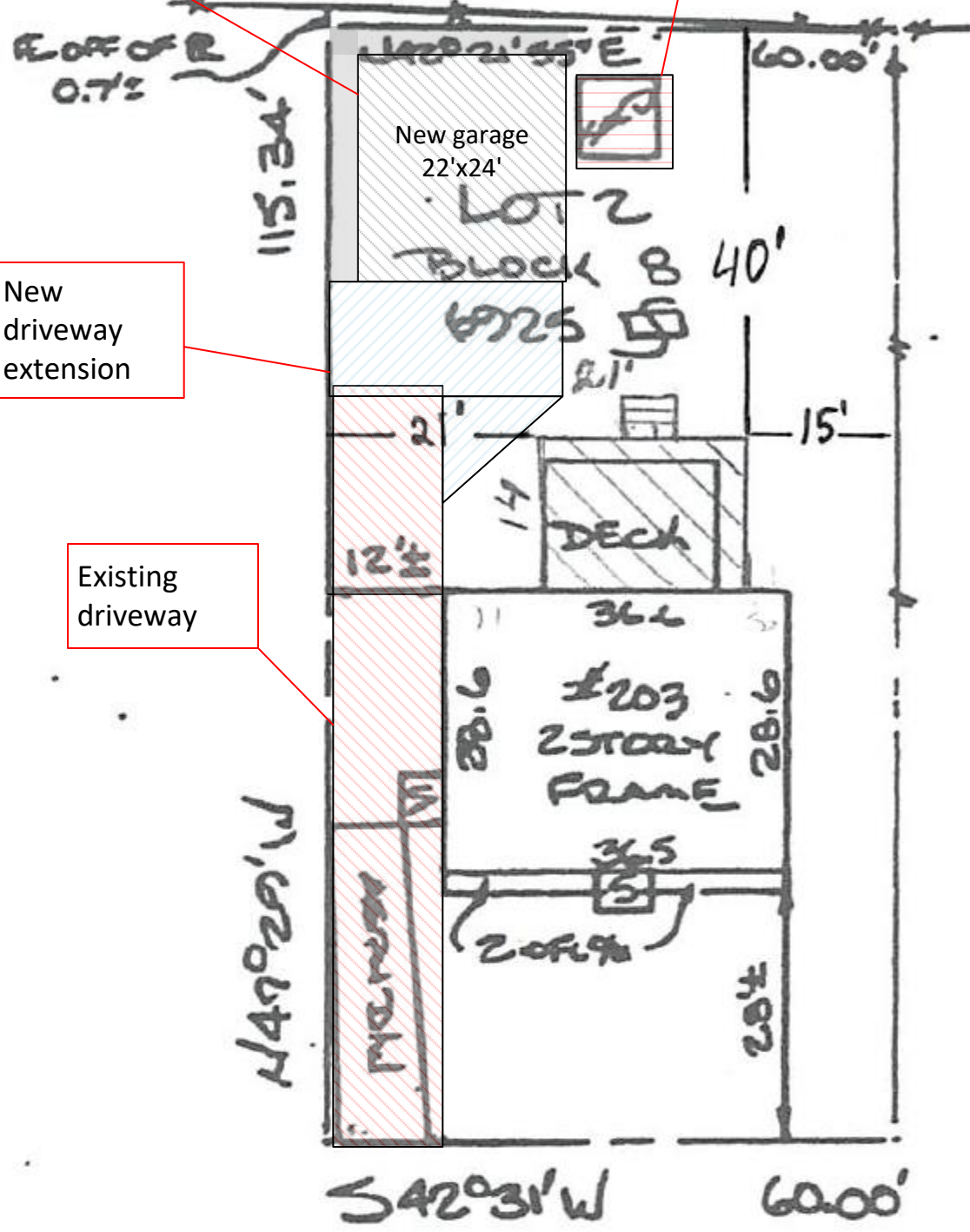
New garage with 5' setback to side, and 3' to rear

Remove existing shed

New driveway extension

Existing driveway

Down



MOUNT VERLON
PLACE
60'RW

LOCATION OF HOUSE
LOT 2 ~ BLOCK 8 ~ SECTION FOUR
HUNGERFORD
#203 MOUNT VERLON PLACE
CITY OF ROCKVILLE
MONTGOMERY COUNTY, MARYLAND

CERTIFICATE

I hereby certify that the property delineated hereon is in accordance with the Plat of Subdivision and/or deed of record, that the improvements were located by accepted field practices and include permanent visible structures and encroachments, if any.

[Signature]
TITLE REPORT NOT FURNISHED

REFERENCES

PLAT-BK. 53
PLAT NO. 4217

LIBER
FOUD

**ZENITH SURVEYS
SURVEYING • PLANNING**

200 Dill Avenue • Frederick, MD 21701
301-831-4944 • 301-695-5594

DATE OF SURVEYS

SCALE: 1" = 30'

WALL CHECK

DRAWN BY: *WHY*

HSE LOC 9-8-05

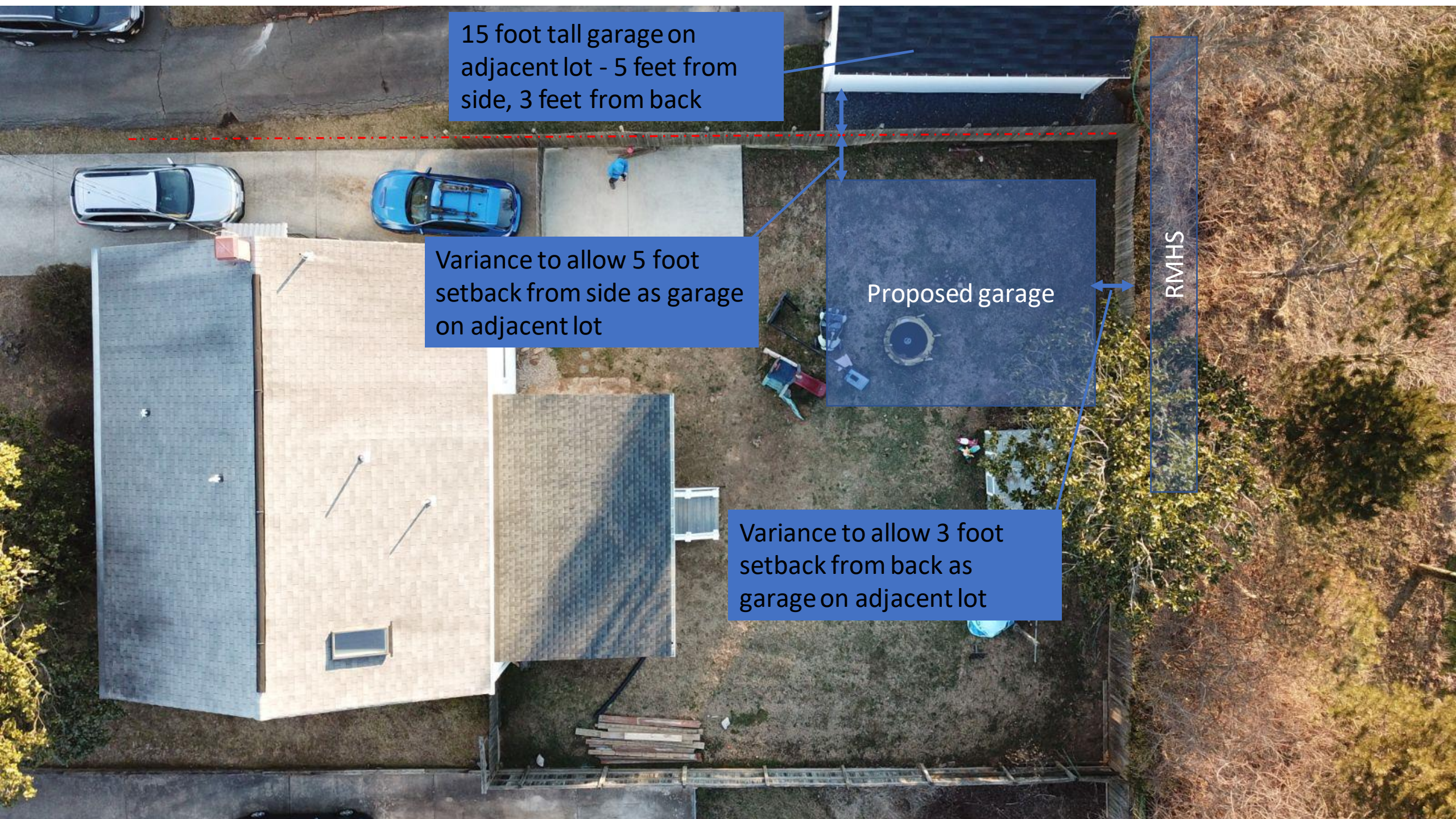
BOUNDARY

JOB NO.: 05-1117

15 foot tall garage on adjacent lot - 5 feet from side, 3 feet from back

Variance to allow 5 foot setback from side as garage on adjacent lot

Variance to allow 3 foot setback from back as garage on adjacent lot



March 17, 2026

To Whom it May Concern,

I, Seth Weissman of 205 Mount Vernon Place, in Rockville, MD 20852, do wholeheartedly endorse Lev Rodovski and Marina Kublanova's plans to install a garage in the rear corner of their yard. As the sole neighbor this improvement would affect, I am absolutely behind my neighbors. I believe they should have the right to improve their property as they desire, and within reason. I believe the improvements they intend to make and the location they intend to make them are well within reason. I understand the setback rules myself having built my own garage to which my neighbor's garage will be adjacent. I believe this will improve the look and appeal of their home and in turn, positively impact the value and beauty of my own home.

I also fully endorse my neighbors plans as a certified residential appraiser. I have been appraising property in the state of Maryland for almost 30 years. I can assure you that as a professional who has analyzed and studied homes for many years, that the improvements they intend to make and where they intend to make them will only improve the value of their home, which is a positive outcome for them as well as their neighbors. They will also be improving the neighborhood by taking more cars away from street parking which does tend to be an issue with their proximity to Richard Montgomery High School. As an appraiser I am well trained to not only know value and both positive and negative impacts of all residential improvements, I am also well trained to be a fully objective observer of the product I am trained to value.

I believe the requirement to place the garage in the middle of the yard would detract from the value of the garage, possibly ruin the small yard they have, and will not improve the value of their home. They will also have to remove a large Magnolia tree that has likely been in the Hungerford neighborhood since its inception. I do not believe it benefits anyone to make such rash changes from what is a logical and well thought out improvement plan. Sometimes exceptions can be made that create a positive outcome for all. This is one of those times.

Sincerely,

A handwritten signature in black ink, appearing to be 'Seth Weissman', written over a horizontal line.

Seth Weissman