

TOWN OF WASHINGTON GROVE

Board of Zoning Appeals

RESOLUTION

October 24, 1979

WHEREAS,

An application to the Washington Grove Planning Commission for a building permit to construct a garage and bedroom on property located at 319 Brown Street, Lot 18 and part of Lot 17 in Block 19, was filed on June 6, 1979 by Helmut and Gioia Mueller; and

Said application was denied on same date by reason of setback limits tabulated in Article VII, Section 9 (page 58) of the Washington Grove Code of Ordinances; and

Application for a variance was made to the Board of Zoning Appeals on August 14, 1979; and

The Board filed notice of a public hearing on August 24, 1979 in accordance with Article VII, Section 12.311 of the Ordinances and held said hearing on September 27, 1979 as per Section 12.312; and

Statements were made at the hearing by the applicants and their representative, Joseph Stoltz of Gaithersburg; and

No person offered to make a statement in opposition to the application; and

Questions were asked by all three members of the Board, responses being provided by applicants, their representative, members of the Planning Commission, and other Board members; and

A verbatim transcript of the proceedings was made and has been edited to correct errors and to fill gaps caused by poor acoustics, noise, or other transcription difficulties; and

Said transcript has been certified for the record by approval of all three Board members; and

WHEREAS,

The Board considered carefully the conditions required for granting a variance as laid out in Article VII, Section 11.3 of the Ordinances; and

The Board interpreted the condition defined in Section 11.31(a) as referring to the existing lot as presently developed rather than to the original lot without structures; and

The Board elected to designate the transcript as the official minutes of its only meeting on this matter; and

The Board, in the course of the discussion recorded in the transcript, did cite the grounds and findings forming the basis for this resolution, and did record an unanimous vote in favor of the action subsequently documented in this Resolution;

THEREFORE, BE IT NOW RESOLVED THAT

(1) This resolution constitutes the written opinion prescribed by Article VII, Section 12.33 of the Ordinances;

(2) This opinion holds that all of the conditions (a) through (e) of Article VII, Section 11.31 have been satisfied by evidence presented at the hearing;

(3) A variance is hereby granted, on behalf of the above named applicants and property, from certain setback requirements of Section 9 of Article VII, said variance to be limited in scope and dimensions to no more than the deviation defined by the drawings submitted by applicants to the Planning Commission on June 6, 1979 and with the application for variance on August 14, 1979.

(4) The Town Planning Commission is hereby authorized to approve, and the Montgomery County Department of Environmental Protection is authorized to issue, a building permit embodying the scope and dimensions defined by the above referenced drawings, subject to all other limitations and requirements for approval and issuance of such building permits.

APPROVED:

Date

B. Work
[Signature]
Ann K. Briggs

11/12/79
10/26/79
11/9/79