

Submitted: September 12, 2019

Approved: September 12, 2019

**MINUTES OF THE ROCKVILLE BOARD OF APPEALS
MEETING NO. 03-2019
Thursday, July 11, 2019**

The City of Rockville Board of Appeals convened in open session in the Mayor and Council Chambers at 7:00 p.m. on Thursday, July 11, 2019

PRESENT

Alan Frankle, Chair

Chris Maravilla

Roy Deitchman

Nicholas Kutchak, Alternate

Staff Present: Jodi Schulz, Senior Assistant City Attorney
Jim Wasilak, AICP, Chief of Zoning
Bobby Ray, AICP, Planning Supervisor

I. CONVENE IN OPEN SESSION

The meeting was convened at 7:00 p.m. and began with staff introductions.

I. PUBLIC HEARING

- A. Variance Application VAR2019-00076**, 1718 Wilmart Street, A variance request to allow an accessory building to be located outside of the rear yard as required by Section 25.09.03.a.1 of the Zoning Ordinance. The proposed accessory building will replace a previous building, removed due to severe weather damage, placed in the same location. The property is zoned R-75 (Single Unit Detached Dwelling, Residential Zone). Planner: Bobby Ray, AICP, 240-314-8228.

Mr. Ray introduced the variance application and indicated to the Board that the application was deficient in that a “house location survey” was not submitted as required by the application checklist. In its place the applicant had prepared a hand drawn site sketch of the property. A discussion ensued between staff, the Board and the applicant regarding the sufficiency of the sketch drawing submitted with the application. The Board concluded that the sketch was accurate and correct to the best of the applicant’s knowledge, and there were no objections to moving forward with the variance request based on the sketch.

Mr. Ray presented the staff report and the recommendation to approve the variance request VAR2019-00076 for 1718 Wilmart Street. Mr. Burt Mazia, the applicant and homeowner, made a presentation of his variance request and responded to questions from the Board.

Mr. Deitchman made a motion to approve VAR2019-00076, the motion was seconded by Mr. Maravilla. Chair Frankle amended the motion to include 2 conditions:

- (1) That the shed be painted in a color compatible with the existing structure; and

(2) That the shed be maintained in the future.

The amended motion was unanimously approved 3-0.

II. COMMISSION ITEMS

A. OLD BUSINESS

At a previous meeting the Board had discussed a comprehensive re-write of their Rules of Procedure and had tentatively scheduled this item for further discussion at the meeting of September 12, 2019. Since that time a public hearing has been scheduled for a Special Exception application to be heard on September 12th. Ms. Schulz informed the Board that, due to a personal relationship with the Special Exception applicant, she was going to recuse herself from participating in the September 12th meeting.

Ms. Schulz stated that someone from the City Attorney's office would cover the meeting in her place, and she would prefer that the Rules of Procedure discussion be move to a later date to allow her participation. Chair Frankle agreed that the discussion could be moved to a later date, and a determination made as to how to proceed with the rule's changes.

B. NEW BUSINESS

Chair Frankle introduced a proposed modification to the Rules of Procedure changing the Board's meeting date and time from Saturday at 9:30 a.m. to Thursday at 7:00 p.m. A motion was made by Mr. Maravilla and seconded by Mr. Deitchman to approve the proposed modification. The motion was unanimously approved 3-0.

C. MINUTES

Chair Frankle introduced proposed amendments to the draft minutes for the March 7, 2019 meeting. Mr. Deitchman made a motion to approve the draft minutes as amended, Mr. Maravilla seconded the motion and the minutes were unanimously approved 3-0.

D. ADJOURNMENT

The meeting was adjourned at 7:30 p.m.