

**BOARD OF APPEALS  
for  
MONTGOMERY COUNTY**

**100 Maryland Avenue, Suite 217  
Rockville, MD 20850  
(240) 777-6600**

**<http://www.montgomerycountymd.gov/boa/>**

**CASE NO. A-6860**

**PETITION OF ELLEN DYE**

**NOTICE OF NEW HEARING DATE**

Please take notice that the Board of Appeals for Montgomery County, Maryland, will hold a public hearing, **on Wednesday, the 11<sup>th</sup> day of September, 2024, at 9:30 a.m.**, or as soon thereafter as this matter can be heard, on the application filed pursuant to Section 59.7.3.2.A of the Zoning Ordinance.

The proposed construction, an addition to an existing detached accessory dwelling unit, requires a variance of 19.71 feet as it is within twelve (12) feet of the rear lot line. The required setback is 31.71 feet, in accordance with Section 59.3.3.3.C.2.c and d of the Zoning Ordinance.

In addition, the proposed construction requires a variance of 610.28 square feet as it has a total gross floor area of 1098.29 square feet. The required maximum gross floor area is 488.01 square feet, in accordance with Section 59.3.3.3.C.2.e.i of the Zoning Ordinance.

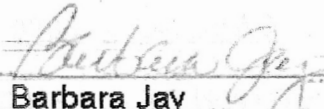
The subject property is Lot 5, Block 17, Huntington Terrace Subdivision, located at **5508 McKinley Street, Bethesda, Maryland 20817 in the R-60 Zone. (Tax Number Account No. 07-00515055)**

Notices forwarded this 3<sup>rd</sup> day of July 2024, to:

**Ellen Dye**  
**Ileana Schinder**  
**Jody S. Kline, Esquire**  
Cliff Royalty, Associate County Attorney  
Elana Robison, Associate County Attorney  
Washington Suburban Sanitary Commission  
State Highway Administration County Board of Education

Contiguous and confronting property owners  
Local Citizens Associations

County Board of Appeals

  
Barbara Jay  
Executive Director

All parties who make submissions, after an initial filing, in Special Exception, Variance and Administrative Appeals cases, must furnish copies of the submission to all other parties in the case. For the purpose of this requirement, a party includes: (1) Counsel of record who have formally entered their appearance; (2) Any person to whom the Board of Appeals has granted Intervener status; and (3) The Applicant, Petitioner or Appellant in the case.

Submissions must be accompanied by a written statement certifying that copies have been sent to all parties. Effective September 6, 2002, failure to supply such written certification will result in refusal of the submission.

Case files are available for public review at the office of the Board of Appeals, Monday through Friday, 8:30 a.m. – 4:00 p.m.

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**REGARDING VARIANCE AND SPECIAL EXCEPTION CASES**

The file containing the applicant's submission may be viewed and copied by appointment in the Board of Appeals office prior to the day of the hearing. Please email our [BOA@montgomerycountymd.gov](mailto:BOA@montgomerycountymd.gov) mailbox to schedule an appointment if you wish to come to our office for that purpose. Our offices are located in the Stella B. Werner Council Office Building, at 100 Maryland Avenue, Suite 217, Rockville, Maryland 20850.

In the case of a major modification to a special exception, a copy of the applicant's complete submission will be referred to the Montgomery County Planning Board for review and recommendation. For further information about the Planning Board's consideration of the case, please call (301) 495-4550.

Maryland law requires that corporations and entities other than individuals, recognized in Maryland law as persons, be represented by an attorney in legal and quasi-judicial proceedings [See Maryland Rules 1-202(u)].

Groups and organizations and individuals represented by counsel who wish to testify at a hearing must file two copies of their statements at least 10 days before the scheduled hearing date. Their statement must indicate what they expect to prove, the names of witnesses, the estimated time for presentation of the case, resumes of expert witnesses and summaries of their testimony, and any formal reports prepared by expert witnesses. An individual may testify on his or her own behalf without prior notice either in favor of, or in opposition to, the special exception or variance.

The Montgomery County Code, Zoning Ordinance, and Code of Montgomery County Regulations (COMCOR), as well as published County Attorney Opinions, are available on the web site of American Legal Publishing. They can be accessed from the Board's website (address above) on any computer connected to the Internet and at all Montgomery County libraries via public Internet computers. In addition, the Montgomery County Code, Zoning Ordinance, and COMCOR are available at the Rockville Memorial Library in hard copy. Copies of the County Code, Zoning Ordinance, and COMCOR are available for purchase from the County Attorney's Office, 101 Monroe Street, 3rd floor, Rockville, MD 20850, Telephone: (240) 777-6700.

The Board of Appeals' Rules of Procedure, Montgomery County Code, Appendix J, are available upon request and on the Board's website at <https://www.montgomerycountymd.gov/BOA/Resources/Files/pdf/RulesofProcedureOctober13-2014.pdf>.

