

Submitted: November 14, 2019
Approved: November 14, 2019

**MINUTES OF THE ROCKVILLE BOARD OF APPEALS
MEETING NO. 04-2019
Thursday, September 12, 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, September 12, 2019

PRESENT

Alan Frankle, Chair
Roy Deitchman
Nicholas Kutchak, Alternate

Staff Present: Cynthia Walters, Deputy City Attorney
Jim Wasilak, AICP, Chief of Zoning
Deane Mellander, 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. [Special Exception Application SPX2019-00397](#), 24 Farm Haven Court – to establish a one-bedroom accessory apartment in the basement of the existing main dwelling. The property is zoned R-90 (Single Unit Detached Dwelling, Residential Zone). Planner: Nicole Walters – 240-314-8215.

Ms. Nicole Walters opened by presenting the staff report recommending approval of the proposed accessory apartment. She indicated that the proposed use would be totally enclosed within the basement of the existing dwelling. The space would be occupied by the applicants' father/father-in-law. The remodeling has been completed except for installation of the stove, pending action on the special exception application. The house has a two-car garage and room for two additional cars to park in the driveway.

Mr. Frankle inquired as to whether or not the bathroom was intended to be a part of the accessory apartment since the diagram in the staff report seems to have excluded it. The staff responded that neither the definition of Accessory Apartment or the General Requirements in Article 15 require exclusive access to sanitation facilities, only that they be available, which satisfies the requirement.

Ms. Lipp, the co-applicant testified in support of the application and answered questions from the Board.

Mr. Deitchman made a motion to approve SPX2019-00397, subject to the conditions set forth in the staff report. The motion was seconded by Mr. Kutchak and the motion was unanimously approved 3-0.

II. BOARD ITEMS

A. OLD BUSINESS

The Chair noted that he had recently met with P&DS Director Ricky Barker and Deane Mellander regarding the proposed amendments to the sign code. He noted that his concerns expressed at the public hearing were noted by the staff and are being addressed in a satisfactory manner. Mr. Deitchman inquired about the proposed process for sign variances. Mr. Mellander responded that the revised language will establish a variance process through the Chief of Zoning, with appeal to the Board of Appeals in cases of adverse decisions.

B. NEW BUSINESS

No new business.

C. MINUTES

Chair Frankle introduced the draft minutes for the July 11, 2019 meeting. Mr. Deitchman made a motion to approve the draft minutes as submitted, Mr. Kutchak seconded the motion and the minutes were unanimously approved 3-0.

D. ADJOURNMENT

The meeting was adjourned at 7:22 p.m.