

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS  
MONTGOMERY COUNTY GOVERNMENT  
100 MARYLAND AVENUE, ROOM 200  
ROCKVILLE, MARYLAND 20850  
(240) 777-6660

OZAH No. AAO- ADO 23-04

Date Filed 3/17/2023

Hearing Date 4/13/2023

Time 9:30 a.m.

OBJECTION TO DHCA DECISION REGARDING ACCESSORY DWELLING UNIT (ADU)

Pursuant to Montgomery County Code Sections 29-16, 29-19 and 29-26, OBJECTION is hereby made to the decision and/or findings of the Department of Housing and Community Affairs (DHCA), issued on 2-16-2023, regarding Accessory Dwelling Unit (ADU) License Application No. 149586, filed on 2-28-2023.

License Applicant: Yilma Betru

First Name Middle Initial Last Name  
Address: 3108 Memory Lane Silver Spring, MD 20904  
Street City & Zip Code Telephone No.

E-mail Address

Zelalem Gebrekidan  
6120 Kansas Ave, NE Washington  
DC

Objector: David Ann

First Name Middle Initial Last Name  
Address: 3104 Memory Lane Silver Spring, MD 20904 443-996-9943  
Street City & Zip Code Telephone No.

damunson@verizon.net

E-mail Address

Proposed Use (Check one):

☒ Attached Accessory Dwelling Unit

☐ Detached Accessory Dwelling Unit

Description of Property for Proposed Use:

Address: 3108 Memory Lane

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Parcel No.: \_\_\_\_\_; Subdivision Tandewood

Size of Property: (In acreage or square feet) 0.21 Current Zoning: R-90

Number of Off-Street Parking Spaces: \_\_\_\_\_

Description of vehicular parking available on the street abutting the subject site and generally in the neighborhood:

owner has 2-car driveway but has 3 vehicles. Across the street - 3105 Memory Lane -  
has 5-6 cars from various states already on street. Memory Lane even now  
too crowded for emergency vehicles.

License Applicant's Present Legal Interest in Subject Property (Check one):

☒ Owner

☐ Other (describe) \_\_\_\_\_

Owner of Property (If not License Applicant):

Name \_\_\_\_\_ Address \_\_\_\_\_ Zip Code \_\_\_\_\_

Has any previous application involving this property been made to this office, or to the Board of Appeals, by this applicant, or by anyone else to this applicant's knowledge? \_\_\_\_\_ If so, give Case Number(s): \_\_\_\_\_

Basis for Objection (attach additional sheets as needed):

Memory Lane & Tandewood have many unapproved/unlicensed ADUs - 3105 Memory  
Lane & 2913 Memory Lane & 3029 Schubert Drive. Too many cars crowd streets  
in this single-family home subdivision.

I hereby affirm that all of the statements and information contained in or filed with this Objection are true and correct.

Pending

Signature of Attorney - (Please print next to signature)

Ann D. Munson & David C. Munson  
Signature of Objector(s) - (Print next to signature)

Address of Attorney  
Attorney's E-mail Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

Rev. 3/16/23 SB

Kristin Mink, County Council Member  
Council Office Building  
100 Maryland Ave., 6th Floor  
Rockville, MD 20850

Dear Ms Mink,

In 1986 we purchased 3104 Memory Lane in Tanglewood - a single family home in a single family neighborhood. We have always taken pride in our home and were distressed to see a "Pending for Accessory Dwelling Unit" signage next door at 3108 Memory Lane. We do not see this as a solution for affordable housing but rather as yet another "group home" in our neighborhood. If the homeowner at 3108 Memory Lane needs to rent out rooms to meet expenses, then perhaps he needs to find another house. Yet another group home on Memory Lane means yet more cars parked on both sides of the street presenting an impossible situation for Emergency Rescue Vehicles to navigate.

All of the construction at 3108 Memory Lane began almost a year ago:

- Day laborers, multiple cars and pickups brought construction supplies to the basement entrance in the backyard.
- We have heard concrete saws, seen billowing clouds of concrete dust and heard sledge hammers demolishing part of the foundation wall.
- An incredible amount of soil was excavated from the foundation to make room for a new door and to enlarge the existing basement window.
- The basement sliding glass door was covered with sheetrock and 2 x 4s.
- The entire area beneath the deck is littered with construction debris, plastic sheeting, and a toilet. In the adjoining backyard is even more trash that has not been disposed of properly.

When we initially observed this activity, we filed a complaint with Code Enforcement and were told that they couldn't go inside to investigate. Nobody had to go inside - the evidence of an ongoing construction project was in the backyard. Because we were concerned that unlicensed/unregistered people were doing structural, electrical and plumbing work, we went to the Burtonsville Volunteer Fire Department to raise our concerns. They said that this was a Code Enforcement matter.

All of this activity occurred at 3108 Memory Lane **without a posted permit**.

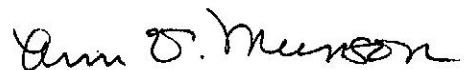
It seems that as Montgomery County Taxpayer and a U. S. Navy Veteran of 27 years, that my rights to living in a peaceful community have been summarily compromised. We have had no ability to provide any dissenting opinions on this project. Had we been afforded the opportunity to do so, we would have definitely voted NO. Higher population density does not improve our quality of life. Each ADU brings more curbside trash, recycling, and added vehicles - all of which we already observe.

I would be extremely interested to receive a current report which provides specific details regarding the numbers of ADUs by County location. Additionally, I believe that any individual requesting to modify a residence into an ADU should be required to have signatures from 5 residences on both sides of the street in both directions indicating either "In favor" or "opposed" to the proposed plan. This should be an absolute requirement.

Sincerely,



David A. Munson



Ann V. Munson

MONTGOMERY COUNTY, MARYLAND  
DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS  
LICENSING AND REGISTRATION UNIT

CLASS 3

Accessory Dwelling Unit Rental License Application

(Please Read All Instructions on Back Prior  
to Submitting Application)  
Fees Required at Application Submission:  
Application Fee: \$250.00  
Annual License Fee (7/1 - 6/30): \$111.00  
Sign Fee: \$220.00  
Total: \$581

Mail Application with Payments to:  
DHCA/Licensing and Registration Unit  
1401 Rockville Pike, 4th Floor  
Rockville, Maryland 20852

Checks Payable to: Montgomery County, MD

Office Use Only:  
License No. 149586  
Received Date 2/16/23  
Evidence of OPR Pro Tag  
Apt/Driveway ✓ Sketch  
Residential Zone R-90  
Meets requirements Y/N

PART A ACCESSORY DWELLING UNIT (ADU):

Address: 3108 Memory Lane Silver Spring 20904  
Street Address City Zip

Is ADU under construction or will be? Y/N

\*See #1 (a) ii on back

Obtained Building Permit? Y/N

\*See #1 (a) iii on back

Start Date of Rental: 01/01/24

Number of Occupants: 1

Number of Kitchens: 2

(This includes main house kitchen)

ADU Detached? Y/N

(18 years of age or older)

Location of ADU: Basement

Lot Acreage: 0.21

Location of Entrance Door to ADU: Back

On-site Driveway dimensions: 19.75' x 29.5' (WXL)

Change to Original Floor Plan? Y/N  
(If Yes, explain on separate paper)

\*See 3 on back

Sq. ft. of principal dwelling: 1,242 Sq. ft. of ADU: 743

Date of Purchase: 03/05/09 (If within 6 months, include HUD-1/Closing form)

Year ADU Built: 1986

\*See #7 on back

Is ADU approved by Homeowners Association? Yes / No / N/A

\*See #8 on back

Is there an active special exception (SE) for your ADU? Y/N If so, SE #: \_\_\_\_\_ I want SE revoked: Yes / No

PART B OWNER INFORMATION:

YILMA BETRU  
First Owner's Name

3108 Memory Lane, Silver Spring, MD 20904  
Full Street Address/State/Zip

240-528-0328 240-528-0328  
Primary Phone Cellular Phone

Yilmate@Yahoo.com  
Email Address

Zelalem Gebrekidan  
Second Owner's Name

3108 Memory Lane, Silver Spring, MD 20904  
Full Street Address/State/Zip

202-341-2396 202-341-2396  
Primary Phone Cellular Phone

Zeltadgeb@yahoo.com  
Email Address

I affirm under penalty of perjury that the above information is true to the best of my knowledge and belief. I also understand that if there are any changes in property ownership, owner address, or agent/contact information that I must notify Montgomery County Department of Housing and Community Affairs (DHCA), Licensing & Registration within 10 days of the change.

Yilma Betru 02/28/23  
Owner's Signature Date

Z-Gebrekidan 2/28/23  
Second Owner's Signature Date