

BOA Form 2 (Revised 10/29/14)
**BOARD OF APPEALS
FOR
MONTGOMERY COUNTY, MARYLAND**
(240) 777-6600

Docket No. A- 6834
Date Filed 9-11-23
Hearing Date 2/26/2023
Time 9:30 a.m.

PETITION FOR VARIANCE UNDER ZONING ORDINANCE

(Please Note Instructions on Reverse Side)

(PLEASE PRINT)

Name of Petitioner(s): José Manuel "Manny" Polanco and Nelsy P. Polanco

Address of Petitioner(s): 16201 Batson Road City Spencerville Zip 20868

Description of property involved: Lot P319 Block Parcel Subdivision New Birmingham Manor

Street and No. 2230 Spencerville Road City Spencerville Zip 20868 Zone Classification RE-1

Appellant's present legal interest in above property (check one): Tax Account No.

Owner (including joint ownership) Other (describe)

If not owner, name and address of owner:

What variance is requested, and what is the pertinent section of the Zoning Ordinance? 1. 40-foot variance from standard 50-foot setback along part of northern lot line. 2. 40-foot variance form standard 50-foot setback along part of western lot line. 3. 45.8-foot variance from standard 50-foot setback for use of pre-existing shed.

Check existing reason(s) why the Ordinance requirement(s) would result in practical difficulties for property owner:
 narrowness shallowness shape topography other extraordinary situations or conditions peculiar to this property.

Describe this property's extraordinary situation or peculiar conditions compared to neighboring properties: The property is long and thin and approximately one third of the site is located in the Upper Paint Branch Special Protection Area.

How will the peculiar condition described above result in practical difficulty if the requested variance is not granted? Without the requested setback variances Applicants will be unable to operate their business from the property safely and efficiently.

Date of recording of plat of present subdivision: ; or, if property is un-subdivided, date on which deed recorded, or state that such deed was first recorded prior to March 6, 1928: 12-23-20

Has any previous variance application involving this property been made to the Board of Appeals? If so, give Case Number(s): No

I have read the instructions on the reverse side of this form and am filing all required accompanying information. I hereby affirm that all of the statements and information contained in or filed with this petition are true and correct.

Françoise M. Carrier Manual Polanco Jose M Polanco / Nelsy P. Polanco
 Nelsy Polanco

Name of Attorney/Agent (Print Name next to Signature) Bregman, Berbert, Schwartz & Gilday, LLC, 7315 Wisc. Ave., Ste. 800 West, Bethesda, MD 20814 Signature of Petitioner(s) (Print Name next to Signature) 16201 Batson Road, Spencerville, MD 20868

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Phone Number Email Address Home Phone Work Phone Email Address

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