

PLEASE NOTE: When Montgomery County Schools are closed due to the weather, Board of Appeals hearings will not be held. When Montgomery County Schools announce a delayed opening, Board of Appeals hearings will also be delayed by the same amount of time.

**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-6953

PETITION OF GERARD J. EMIG

NOTICE OF HEARING

Please take notice that the Board of Appeals for Montgomery County, Maryland, will hold a public hearing in the Stella B. Werner Council Office Building Second Floor Davidson Memorial Hearing Room, at 100 Maryland Avenue, Rockville, Maryland, **on Wednesday, the 11th day of February, 2026, 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. As a property owner applying for the variance, you must attend the public hearing or have counsel appear on your behalf. If you have an architect, contractor, or engineer, they are welcome to appear and testify at the hearing, but can only do so if you or your attorney are present.

The proposed construction of a two-story addition with basement requires a variance of 21.19 feet as it is within 18.81 feet of the front property line along Lescot Street (northern front lot line). The required setback is forty (40) feet, in accordance with Section 59.4.4.7.B.2 of the Zoning Ordinance.

The subject property is Lot 8, Block B, Brooke Manor Estates Subdivision, located at **16529 Jilrick Street, Rockville, Maryland 20853** in the R-200DC Zone. (Tax Number Account No. 08-00716567)

Notices forwarded this 8th day of January 2026, to:

Gerard J. Emig

Corey Talcott, 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.

Docket No. A- **6953**
 Date Filed **12-30-25**
 Hearing Date **2-11-26**
 Time **9:30 a.m.**

**BOARD OF APPEALS
 FOR
 MONTGOMERY COUNTY, MARYLAND
 (240) 777-6600**

PETITION FOR VARIANCE UNDER ZONING ORDINANCE

(Please Note Instructions on Reverse Side)

(PLEASE PRINT)

Name of Petitioner(s): Gerard J. Emig and Pamela Emig

Address of Petitioner(s): 16529 Jilrick Street City Rockville Zip 20853

Description of property involved: Lot 8 Block B Parcel 0000 Subdivision Brooke Manor Estates

Street and No. 16529 Jilrick Street City Rockville Zip 20853 Zone Classification R200 DC

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? The requested variance from Chapter 59.4.4.7.B.2. for an additional 21.19' setback for the proposed, principal structure addition

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 burdened by drainage from uphill neighboring properties.

How will the peculiar condition described above result in practical difficulty if the requested variance is not granted? The addition cannot be built in the back of the property due to the drainage from uphill properties.

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: 1966

Has any previous variance application involving this property been made to the Board of Appeals?
 If so, give Case Number(s): Yes. A variance was granted in the 1990s to build a carport on the other side other property.

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.

Name of Attorney/Agent (Print Name next to Signature)

Signature of Petitioner(s) (Print Name next to Signature)
 16529 Jilrick Street, Rockville, MD 20853

Address of Attorney

Address of Petitioner

(301) 802-3184

(301) 802-3184

gemig@gleason-law.com

Phone Number

Email Address

Home Phone

Work Phone

Email Address

MONTGOMERY COUNTY BOARD OF ZONING APPEALS

Variance Request for 16529 Jilrick Street Rockville Maryland 20853

Submitted by Homeowners:

Gerard and Pamela Emig

I. Introduction and Requested Relief

The homeowners, Gerard J. Emig and Pamela W. Emig, respectfully request a variance of the 40 foot Building Restriction Line on the side of their property. Specifically, a variance from the Montgomery County Zoning Code, Chapter 59.4.4.7, R-200 Zone, Standard Method Development Standards for the front principal building setback from Lescot Street of 40 feet is requested.

Exhibit Summary

**BOA Exhibit
4**

Exhibit 1- Survey Platt showing requested variance

Exhibit 2 -Certified Copy of Official Zoning Vicinity Map

Exhibit 3 -List of abutting property owners

Exhibit 4 -C5 Cover Sheet

Exhibit 5- Existing Basement Plan

Exhibit 6- Existing First Floor Plan

Exhibit 7-Exisitng Second Floor Plan

Exhibit 8- Existing East Elevation

Exhibit 9- Existing North Elevation

Exhibit 10- Existing West Elevation

Exhibit 11- Existing South Elevation

Exhibit 12- Proposed Site Plan

Exhibit 13- Proposed Basement Plan

Exhibit 14-Proposed First Floor Plan

Exhibit 15-Proposed Second Floor Plan

Exhibit 16- Proposed East Elevation

Exhibit 17- Proposed North Elevation

Exhibit 18- Proposed West Elevation

Exhibit 19- Letter denying permit

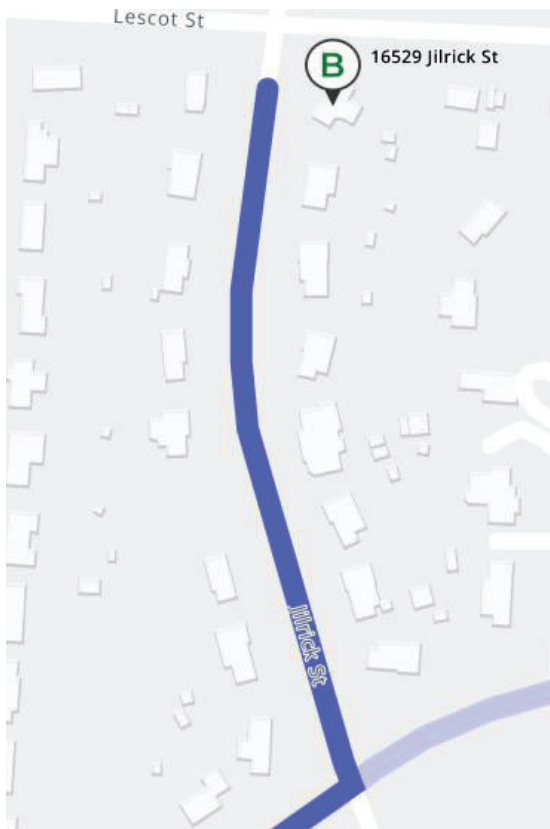
II. General Information

Mr. and Mrs. Emig purchased their Dutch Colonial Home on Jilrick Street in 1991. Thereafter, Mr. and Mrs. Emig continuously improved and maintained their home. They constructed a side carport and built a two story addition for a kitchen and primary bedroom on the back of the property on the south rear of the property. The property:





Jilrick Street is a small subdivision that is perpendicular to Emory Lane in Rockville. The Emig's home is listed identified with the as "B":

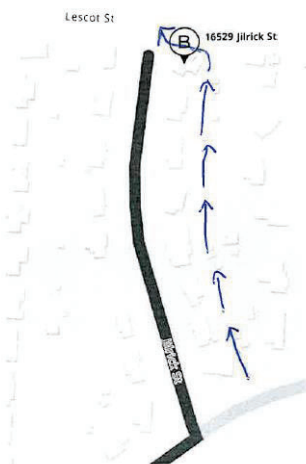


The seven houses encountered before the Emig house are governed by a 15 foot side setback enabling such neighbors to construct additions within 15 feet of the property line. Below is a photograph of one such home:



III. Storm Water Issue

The Emig house is at the bottom of a hill at the intersection of Jilrick Street and Lescot Street. The storm water is handled by gravity. Stormwater from Emory Lane and the houses between Emory Lane and the Emig house flows through the backyards and is discharged into a gully that runs east to west on the side of the Emig house perpendicular to Lescot Street. The path of the storm water is depicted by the arrows:



Below is a photograph of the substantial discharge of water that runs through the Emig backyard during a typical rain storm:



The Emig house bears the burden of water from the uphill properties. The amount of water has increased over recent years due to neighbors paving substantial portions of their backyards. As a result of this stormwater management design, the Emigs are unable to construct an addition on the south rear pf the property towards Lescott Street as the addition would disrupt the storm water management system and would flood the addition.

IV. Setbacks

The Emig house is on a corner lot at the corner of Jilrick Street and Lescot Street. Jilrick Street runs South to North. Lescot Street runs East to West. As a result of the corner lot, the Emig house is subject to two “front” 40 foot Building Restriction Line setbacks. One front setback is for Jilrick Street and the other is for Lescot Street. The front of the house faces Jilrick Street and has the only driveway on the property. The Lescot side of the house contains no driveway and is not the “front” of the property. Sample photographs:

V. Proposed Addition

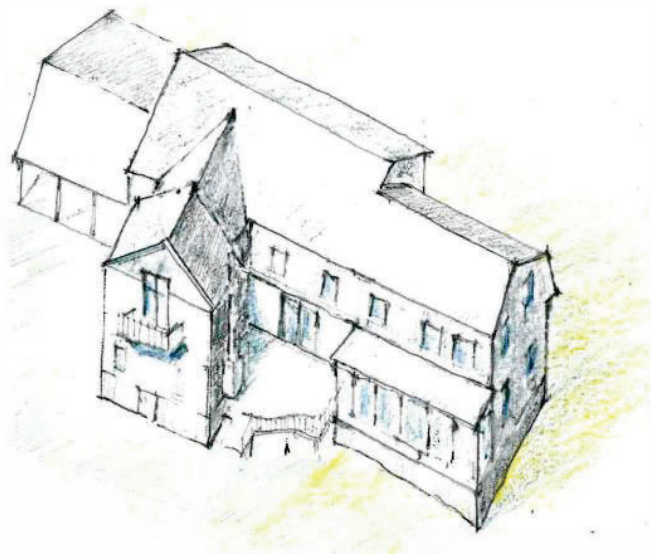
The Emigs would like to construct an addition to the Lescot Street of the house. The addition would be a first floor artist studio. The second floor would include additional living space including

a possible playroom for grandchildren. The existing basement would be expanded below the addition.

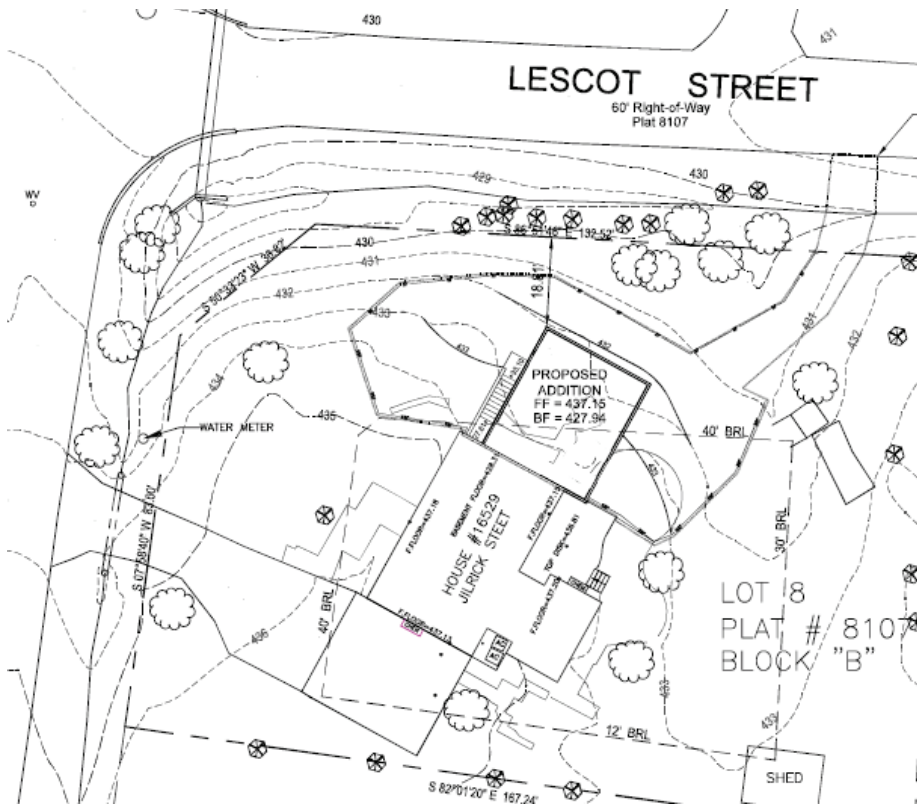
The primary purpose of the addition is to provide Mrs. Emig, an artist, to have a studio with natural light to accommodate her different mediums including textiles, crafts and painting. A secondary purpose would be to provide the Emigs the ability to convert the studio to a primary first floor bedroom in the event health issues arise in the future. Such availability would permit the Emig's to remain in their home as they age.

Mr. and Mrs. Emig retained the services of Miche Booz, AIA to develop plans for the proposed addition. Mr. Booz previously designed the kitchen/primary bedroom addition. Mr. Booz and the Emigs devoted significant time in trying to develop plans that would fit within the dual 40 foot setbacks on Jilrick and Lescot street. They were unable to do so as any proposed addition would fall within the path of the storm water depicted above.

Mr. Booz developed plans to construct a side addition that would not fall within the storm water zone. Mr. Booz's drawing shows the rear of the house and the proposed addition os on the right:



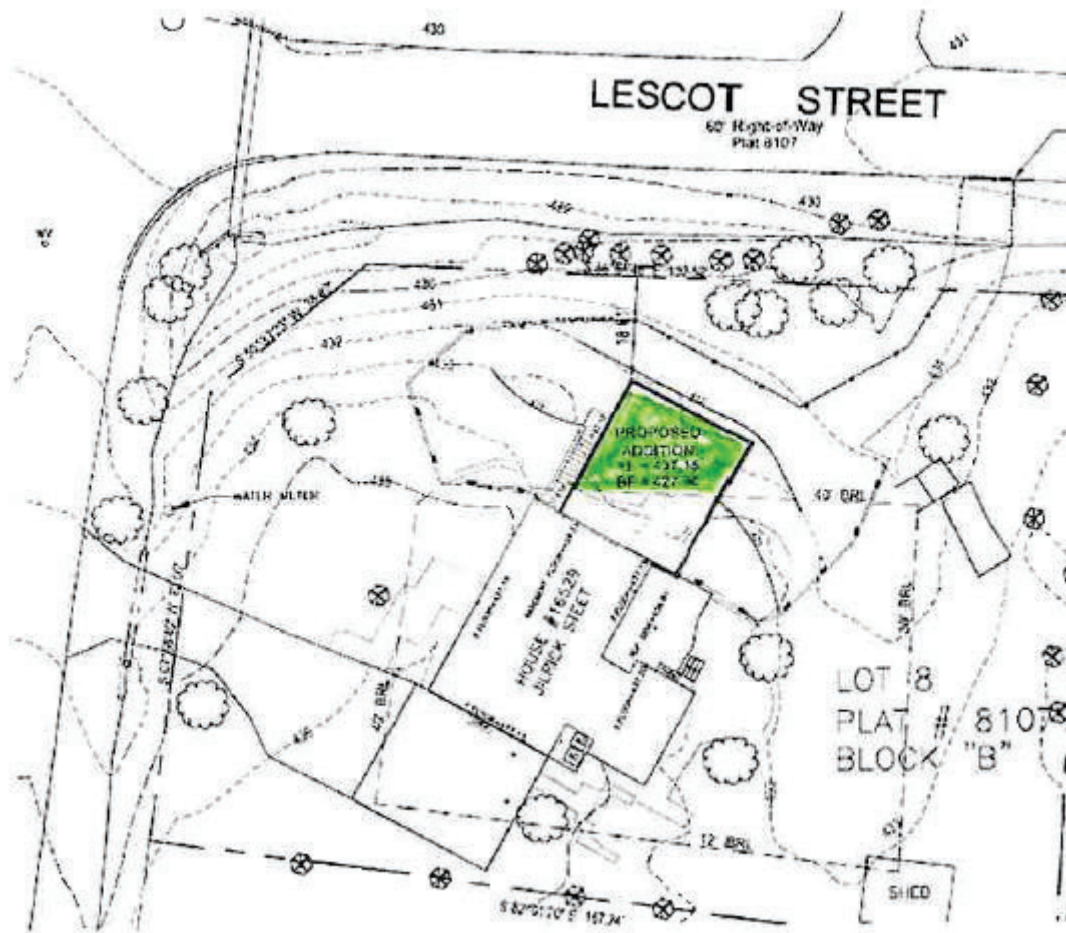
The proposed addition on the site plan:



The proposed addition facing the house from Lescot Street:



A portion of the proposed addition would violate the 40 foot Building Restriction Line on the Lescot Street side. The portion that is not within the setback is depicted in green:



VI. Building Permit Denial

The Montgomery County Department of Permitting Services denied the Emig's request for a building permit on 12/05/2025 as the proposed addition was in violation of the 40 foot Building Restriction Line on the Lescot Street side of the property. Mr. Emig informed DPS that he was aware of the setback issue when the permit was submitted and his goal was to obtain a denied permit so that this Application could be submitted for consideration.

VII. Basis for Variance Request

The Emig s request this variance for multiple reasons:

- (a) Exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary conditions peculiar to a specific property.

As described above, the stormwater design of the neighborhood burdens the Emig property with a substantial discharge of water from the uphill homes during a typical rainstorm. The Emig backyard is quickly turned into a river of flowing water sometimes reaching 25 feet in width. The Emigs did not create this condition and cannot correct it. The effect of the water is to prevent the construction of an addition to the north rear of the property and limits the Emigs from full use of the property.

- (b) The proposed development contains environmentally sensitive features or buffers;

The proposed addition would preserve the current and longstanding system to discharge stormwater through the neighborhood.

- (c) The requested variance is the minimum necessary to overcome the practical difficulties that full compliance with this Chapter would impose due to the unusual or extraordinary situations or conditions on the property.

The Emigs strived to develop a design to create a useful artist studio while preserving space between the addition and Lescot Street. This design takes into consideration the unusual circumstance as the Emig house serving as the last street on the block that is burdened by the stormwater emanating from the uphill properties.

If the variance is approved, there would still be substantial distance between the end of the addition and Lescot Street. The Emigs will not be constructing a driveway on Lescot Street and vehicle traffic will not be affected.

The proposed addition is also consistent with the size of additions constructed on Jilrick Street by the neighbors on non-corner lots. The addition will not affect the neighbors from the use and enjoyment of their abutting or facing properties. There is a row of large trees at the right of way line on Lescot Street which would be a visual buffer to the addition:

The view from Lescot Street facing the area of the proposed addition:



The view from the Emig house facing Lescot Street:



VII. Witnesses to testify at hearing

Gerard J. Emig will testify. Dean Packard, P.E. may testify.

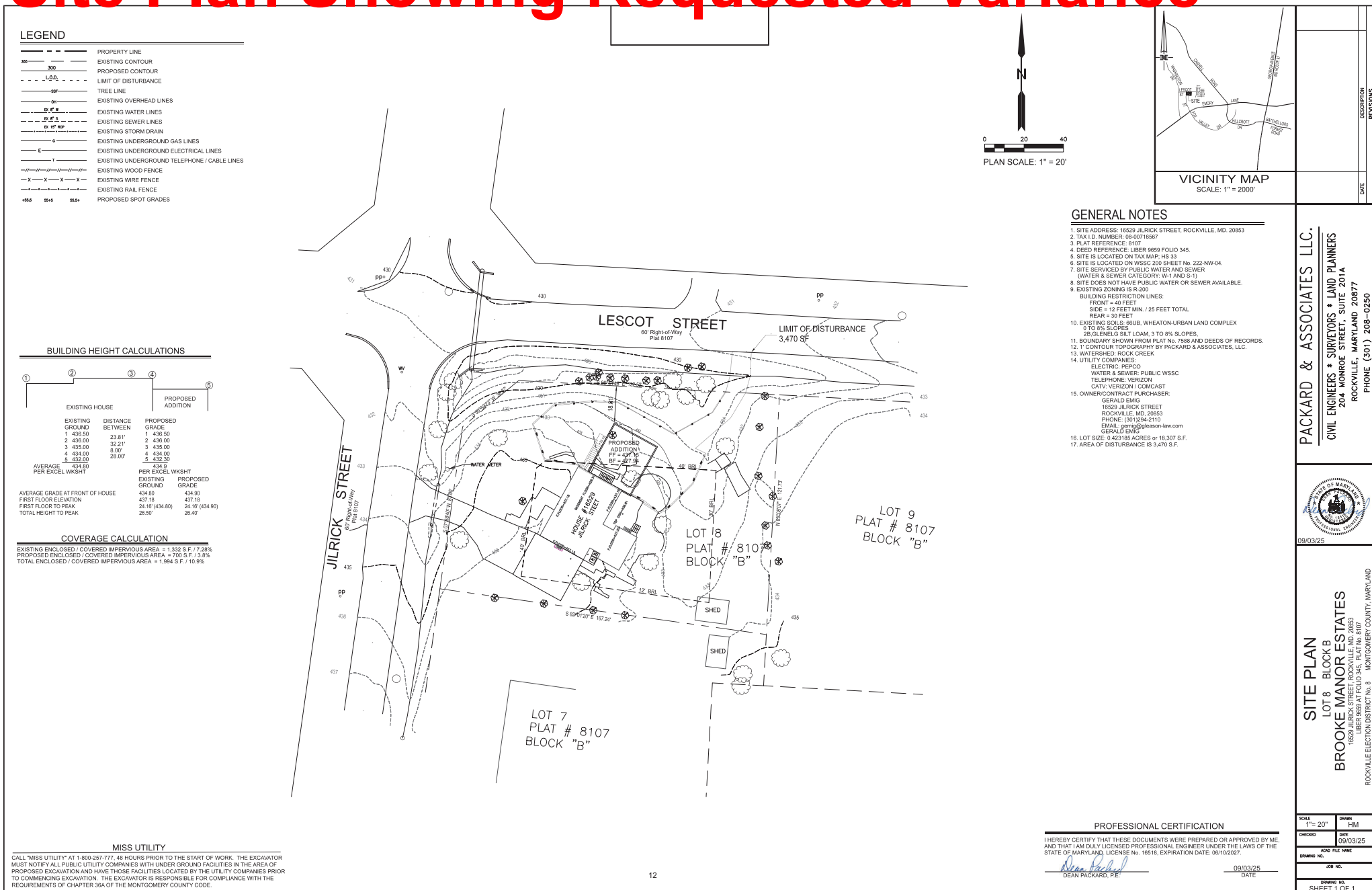
VIII. List of Abutting and Confronting Property Owners

Please see attached as Exhibit 3.

IX. Specific Relief Requested

Mr. and Mrs. Emig respectfully request a variance for a 21.19' variance from Chapter 59.4.4.7.B.2.

Site Plan Showing Requested Variance



Proposed Site Plan

| LEGEND | |
|--------|--|
| --- | PROPERTY LINE |
| --- | EXISTING CONTOUR |
| --- | PROPOSED CONTOUR |
| --- | LIMIT OF DISTURBANCE |
| --- | TREE LINE |
| --- | EXISTING OVERHEAD LINES |
| --- | EXISTING WATER LINES |
| --- | EXISTING SEWER LINES |
| --- | EXISTING STORM DRAIN |
| --- | EXISTING UNDERGROUND GAS LINES |
| --- | EXISTING UNDERGROUND ELECTRICAL LINES |
| --- | EXISTING UNDERGROUND TELEPHONE / CABLE LINES |
| --- | EXISTING WOOD FENCE |
| --- | EXISTING WIRE FENCE |
| --- | EXISTING RAIL FENCE |
| --- | PROPOSED SPOT GRADES |

BUILDING HEIGHT CALCULATIONS

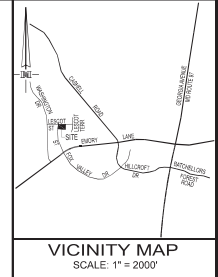
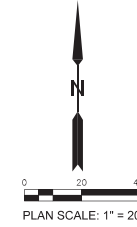
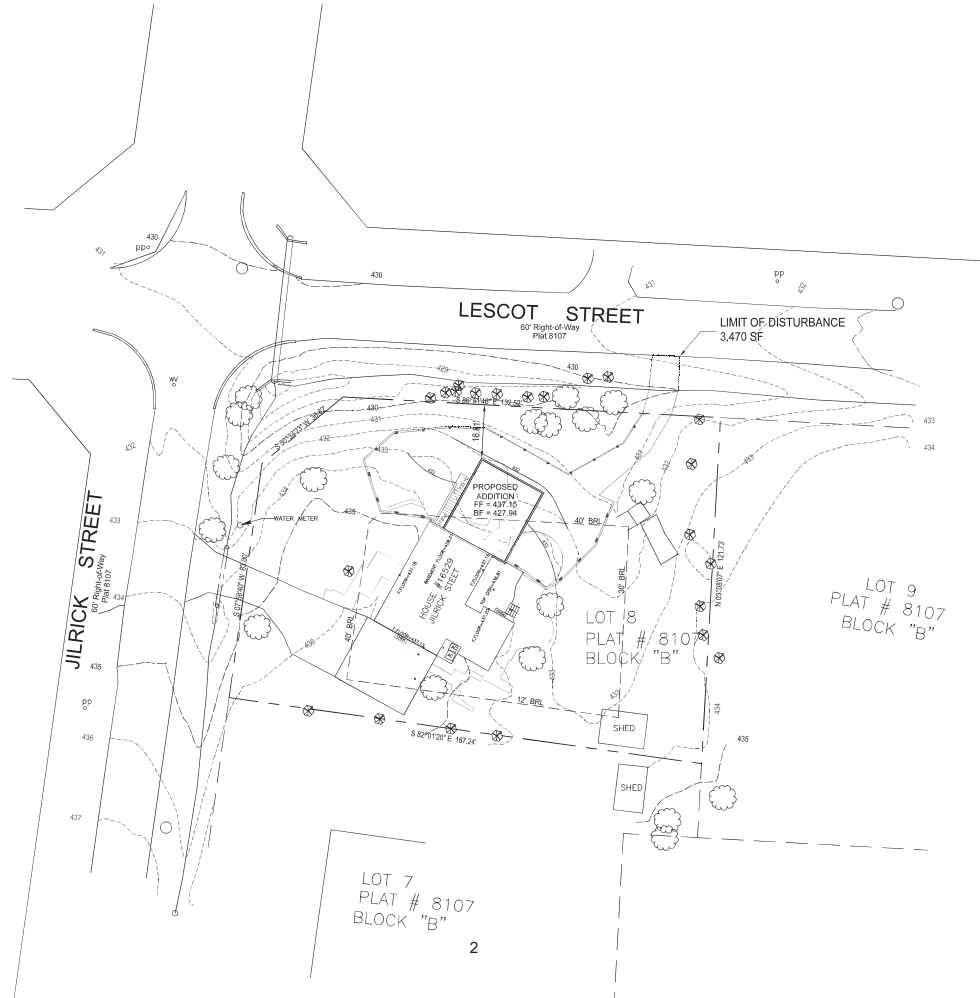
| EXISTING HOUSE | PROPOSED ADDITION |
|---------------------------------|-------------------|
| EXISTING GROUND | PROPOSED GRADE |
| 1 436.50 | 1 436.50 |
| 2 436.00 | 2 436.00 |
| 3 435.00 | 3 435.00 |
| 4 434.00 | 4 434.00 |
| 5 432.00 | 5 432.30 |
| AVERAGE 434.00 | 434.38 |
| PER EXCEL WKSHT | PER EXCEL WKSHT |
| AVERAGE GRADE AT FRONT OF HOUSE | EXISTING GRADE |
| 434.80 | 434.90 |
| FIRST FLOOR ELEVATION | 437.18 |
| FIRST FLOOR TO PEAK | 24.18' (434.80) |
| TOTAL HEIGHT TO PEAK | 28.50' |

COVERAGE CALCULATION

EXISTING ENCLOSED / COVERED IMPERVIOUS AREA = 1,332 S.F. / 7.26%
 PROPOSED ENCLOSED / COVERED IMPERVIOUS AREA = 700 S.F. / 3.9%
 TOTAL ENCLOSED / COVERED IMPERVIOUS AREA = 1,994 S.F. / 10.9%

MISS UTILITY

CALL "MISS UTILITY" AT 1-800-257-7711 48 HOURS PRIOR TO THE START OF WORK. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDER GROUND FACILITIES IN THE AREA OF PROPOSED EXCAVATION AND HAVE THOSE FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH THE REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE.



GENERAL NOTES

1. SITE ADDRESS: 16529 JILRICK STREET, ROCKVILLE, MD. 20853
2. TAX I.D. NUMBER: 08-02716567
3. PLAT REFERENCE: 8107
4. DEED REFERENCE: LIBER 6689 FOLIO 345
5. SITE IS LOCATED ON TAX MAP: HE-33
6. SITE IS LOCATED ON WSSC 200 SHEET No. 222-NW-04
7. SITE SERVICED BY PUBLIC WATER AND SEWER (WATER & SEWER CATEGORY: W-1 AND S-1)
8. SITE DOES NOT HAVE PUBLIC WATER OR SEWER AVAILABLE.
9. EXISTING ZONING IS R-200
10. BUILDING RESTRICTION LINES:
 FRONT = 40 FEET
 SIDE = 12 FEET MIN. / 25 FEET TOTAL
 REAR = 30 FEET
11. EXISTING SOILS: R8UB, WHEATON-URBAN LAND COMPLEX
 0 TO 9% SLOPES
 26-GLDENELO-BLT LOAM, 3 TO 8% SLOPES
12. BOUNDARY SHOWN FROM PLAT No. 7588 AND DEEDS OF RECORDS
13. 1" CONTOUR TOPOGRAPHY BY PACKARD & ASSOCIATES, LLC.
14. WATERSHED: ROCK CREEK
15. UTILITY COMPANIES:
 ELECTRIC: NIPSCO
 WATER & SEWER: PUBLIC WSSC
 TELEPHONE: VERIZON
 CATV: VERIZON / COMCAST
16. OWNER/CONTRACT PURCHASER:
 GERALD EMIG
 16529 JILRICK STREET
 ROCKVILLE, MD. 20853
 PHONE: (301) 294-2110
 EMAIL: gerald@emigson-law.com
 GERALD EMIG
17. LOT SIZE: 0.423185 ACRES or 18,307 S.F.
18. AREA OF DISTURBANCE IS 3,470 S.F.

PACKARD & ASSOCIATES, LLC.
 CIVIL ENGINEERS * SURVEYORS * LAND PLANNERS
 204 MONROE STREET, SUITE 201A
 ROCKVILLE, MARYLAND 20877
 PHONE (301) 208-0250



09/03/25

SITE PLAN
 LOT 8 BLOCK B
BROOK MANOR ESTATES
 16529 JILRICK STREET, ROCKVILLE, MD. 20853
 LIBER 6689 AT FOLIO 345, PLAT No. 8107
 ROCKVILLE ELECTION DISTRICT No. 8 MONTGOMERY COUNTY, MARYLAND

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE No. 16518, EXPIRATION DATE: 06/10/2027.

Dean Packard, P.E.
 DEAN PACKARD, P.E.

| | | | |
|---------|----------|------|----------|
| SCALE | 1" = 20' | DATE | 09/03/25 |
| CHECKED | HM | DATE | 09/03/25 |
| DATE | 09/03/25 | DATE | 09/03/25 |
| DATE | 09/03/25 | DATE | 09/03/25 |

Exhibit 12



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

BUILDING PERMIT DENIAL

The Department of Permitting Services cannot issue a building permit for the property indicated below without a variance from the Montgomery County Board of Appeals.

NAME: GERALD J & P W EMIG A/P 1134181

ADDRESS: 16529 Jilrick St
Rockville, MD 20853

LOT - BLOCK: 8 - B ZONE: R200DC

THE VARIANCE REQUEST IS FOR

| | | | |
|---|----------------------------|---|--------------------|
| N | EXISTING STRUCTURE | Y | PROPOSED STRUCTURE |
| Y | NON-CONFORMING | Y | NON-COMPLYING |
| N | NEW SINGLE-FAMILY DWELLING | | |

TYPE OF CONSTRUCTION:

| | | | |
|---|---------------------|---|----------------------|
| Y | ROOM ADDITION | N | SWIMMING POOL |
| N | PORCH | N | DECK |
| N | SHED | N | FENCE/RETAINING WALL |
| N | ACCESSORY STRUCTURE | N | GARAGE/CARPORT |
| N | OTHER | | |

The proposed construction is for a 2-story addition with basement, to be located 18.81' from the front (northern) property line. Principal structure additions along a frontage can be constructed up to 40' from said property lines.

This property is zoned R200DC and the setback for the principal structure is 40' when placed along a "frontage." This also takes into consideration that the neighboring house on Lescot St also "fronts" on this street, thus requiring the 40' minimum setback requirement. The proposed addition is 18.81' from the front property line requiring a 21.19' variance from Chapter 59.4.4.7.B.2.

The requested variance from Chapter 59.4.4.7.B.2. for an additional 21.19' setback for the proposed, principal structure addition.

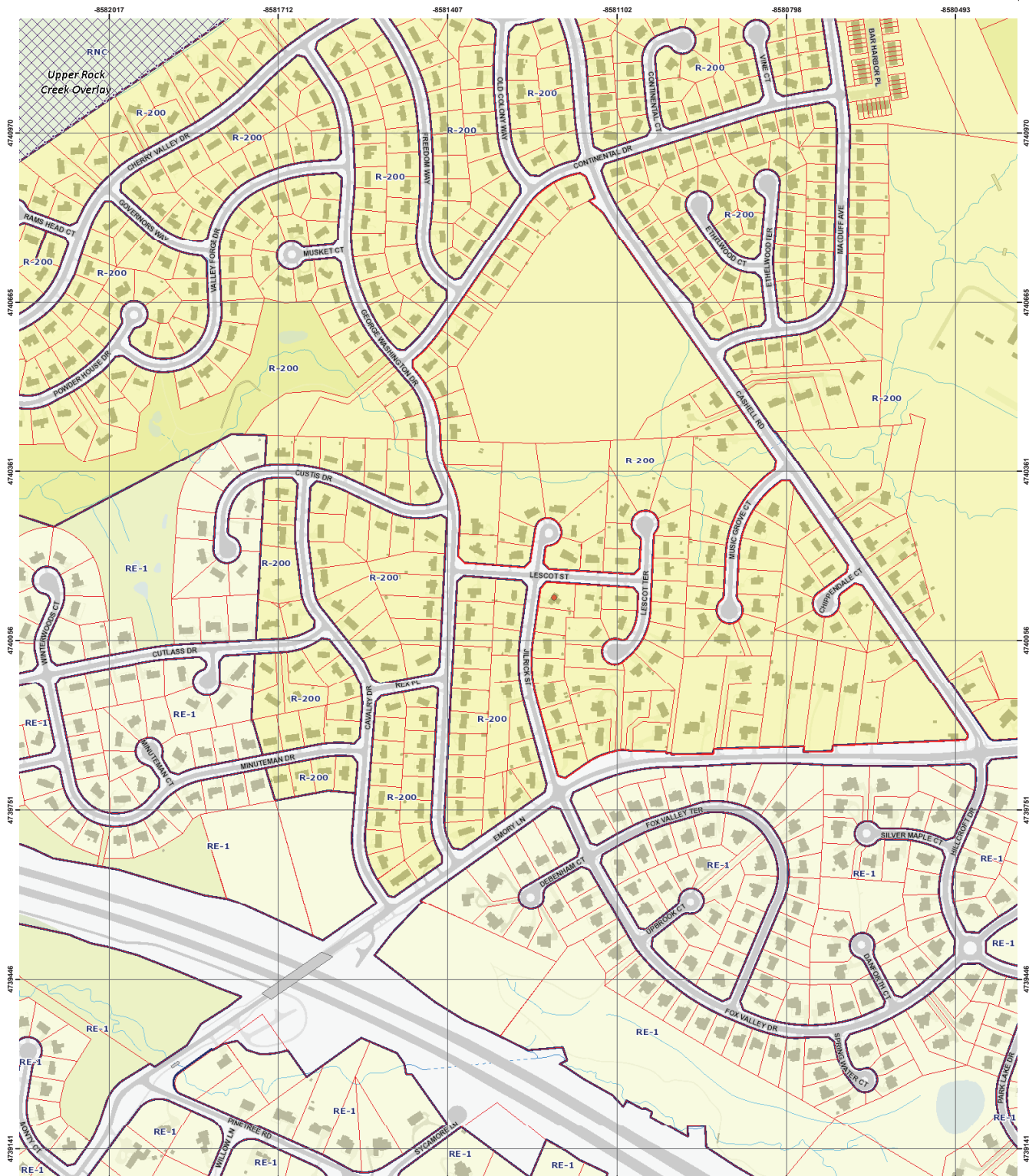
The total variance requested is 21.19.'

12/05/2025

Matthew Makowski – DPS Zoning Specialist

Date

NOTES CONCERNING ZONING IN RIGHTS-OF-WAY
 1. Zone boundaries must not be depicted in public rights-of-way but must run to the centerline of each right-of-way.
 2. Zone boundaries within rights-of-ways previously dedicated by plat or other method of subdivision can be included in map amendments for density purposes; right-of-way included in a map amendment boundary assumes the new zoning assigned in the map amendment.



MONTGOMERY COUNTY ZONING MAP

The Maryland-National Capital Park and Planning Commission

Montgomery County Planning Department



| | |
|--------------------|--------------------------------------|
| Account # | 00716567 |
| Address | 16529 JILRICK ST ROCKVILLE, 20853 |
| Landuse | Single Family Detached |
| Legal Description | BROOKE MANOR EST |
| Zone | R-200 |
| Overlay Zone | N/A |
| TDR Overlay Zone | N/A |
| Parking District | N/A |
| CBD | N/A |
| Parcel, Lot, Block | N/A, 8, B |

| | |
|---------------------------|-----|
| Special Protection Area | N/A |
| Urban District | N/A |
| Enterprise Zone | N/A |
| Arts & Ent. District | N/A |
| Special Tax District | N/A |
| Bike/Ped Priority Area | N/A |
| Urban Renewal Area | N/A |
| Metro Station Policy Area | N/A |
| Priority Funding Area | Yes |
| Septic Tier | N/A |
| Municipality | N/A |
| Master Plan | N/A |
| Historic Site/District | N/A |

| | |
|------------------------|-----------|
| WSSC Grid | N/A |
| Map Amendments | N/A |
| Water/Sewer Categories | W-1 / S-1 |

Printed: 12/9/2025

1 inch = 368 feet

I certify that this document is a copy of the official Montgomery County Zoning Map as downloaded on 12/9/2025 from mcatlas.org/zoning.

Russell Corbin

Exhibit 02



Exhibit 8

Existing East Elevation



EAST ELEVATION

SCALE: 1/4" = 1'-0"

INTECaec

15 High Street, Brookville, Maryland 20833
p. 301.570.4100 f. 301.570.4101 www.INTEC.aec.com

Project Name:
Emig Addition

Project Location:
16529 Jilrick St
Rockville, MD 20853

Seal:

| SUB. | DESCRIPTION | DATE |
|------|-------------|------------|
| 1 | SD SET | 09/19/2025 |
| | | |
| | | |

Sheet name:

EXISTING EAST
ELEVATION

Scale:

Drawn by: HC

Reviewed by: MB

Date: 09-19-2025

Sheet no.:

Exhibit A004 08

Proposed East Elevation



PROPOSED EAST ELEVATION

SCALE: 1/8" = 1'-0"



Project Name
Emig Addition

Project Location
16529 Jitrick St
Rockville, MD 20853

Seal

| SUB | DESCRIPTION | DATE |
|-----|-------------|------------|
| 1 | SDSET | 09-18-2025 |
| | | |
| | | |

Sheet name
PROPOSED EAST
ELEVATION

Scale: 1/8" = 1'-0"
Drawn by: VC
Reviewed by: MB
Date: 09-18-2025

Sheet no:

Existing North Elevation



Project Name:
Emig Addition

Project Location:
16529 Jiblick St
Rockville, MD 20853

Seal:

| SUB | DESCRIPTION | DATE |
|-----|-------------|------------|
| 1 | SD SET | 09/19/2025 |
| | | |
| | | |
| | | |

Sheet name:
EXISTING NORTH ELEVATION

Scale:
Drawn by: HC
Reviewed by: MB
Date: 09-19-2025

Sheet no.:

Exhibit A005 09

Proposed North Elevation



PROPOSED NORTH ELEVATION

SCALE: 1/8" = 1'-0"

INTECaec
15 High Street, Brookeville, Maryland 20833
p. 301.570.4100 f. 301.570.4101 www.INTECaec.com

Project Name
Emig Addition

Project Location
16529 Jilrick St.
Rockville, MD 20853

Seal

| SUB | DESCRIPTION | DATE |
|-----|-------------|------------|
| 1 | SUSET | 09-19-2025 |
| | | |
| | | |

Sheet name
PROPOSED NORTH
ELEVATION

Scale 1/8" = 1'-0"
Drawn by: HC
Reviewed by: MB
Date: 09-19-2025
Sheet no:

Existing West Elevation



Project Name:
Emig Addition

Project Location:
16529 Jibrick St
Rockville, MD 20853

Sheet:

| SUB. | DESCRIPTION | DATE |
|------|-------------|------------|
| 1 | SD SET | 09/19/2025 |
| | | |
| | | |
| | | |

Sheet name:
EXISTING WEST
ELEVATION

Scale:
 Drawn by: HIC
 Reviewed by: MB
 Date: 09-19-2025

Sheet no.:

Proposed West Elevation



PROPOSED WEST ELEVATION

SCALE: 1/8" = 1'-0"

INTECaec

115 High Street, Brookeville, Maryland 20833
p. 301.570.4100 f. 301.570.4101 www.INTECaec.com

Project Name

Emig Addition

Project Location

16529 Jitrick St
Rockville, MD 20853

Seal

| SUB | DESCRIPTION | DATE |
|-----|-------------|------------|
| 1 | SD SET | 09-19-2025 |
| | | |
| | | |

Sheet name

PROPOSED WEST
ELEVATION

Scale 1/8" = 1'-0"

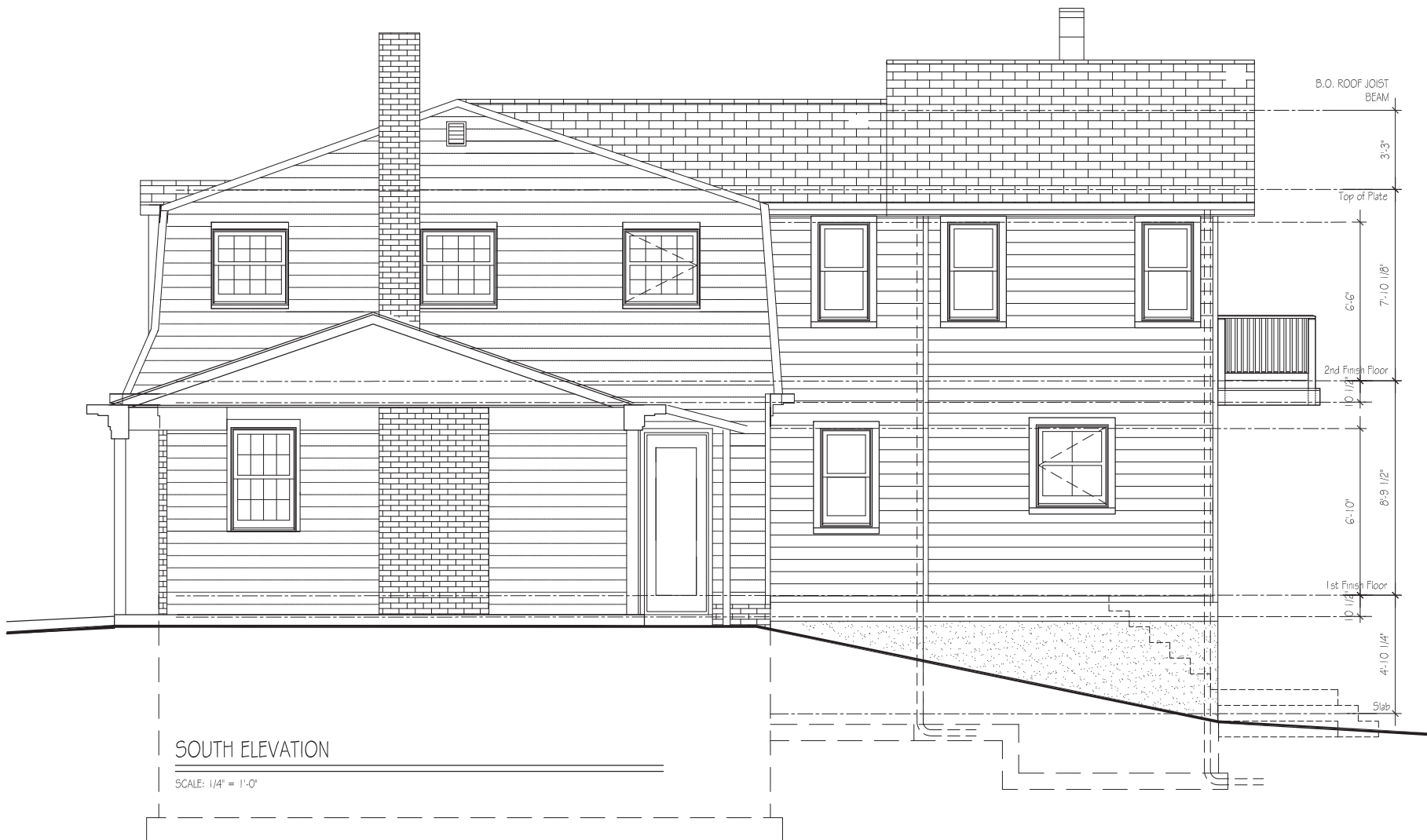
Drawn by HC

Reviewed by MB

Date 09-19-2025

Sheet no

Existing South Elevation



Project Name:
Emig Addition

Project Location:
16529 Jibrick St
Rockville, MD 20853

Seal:

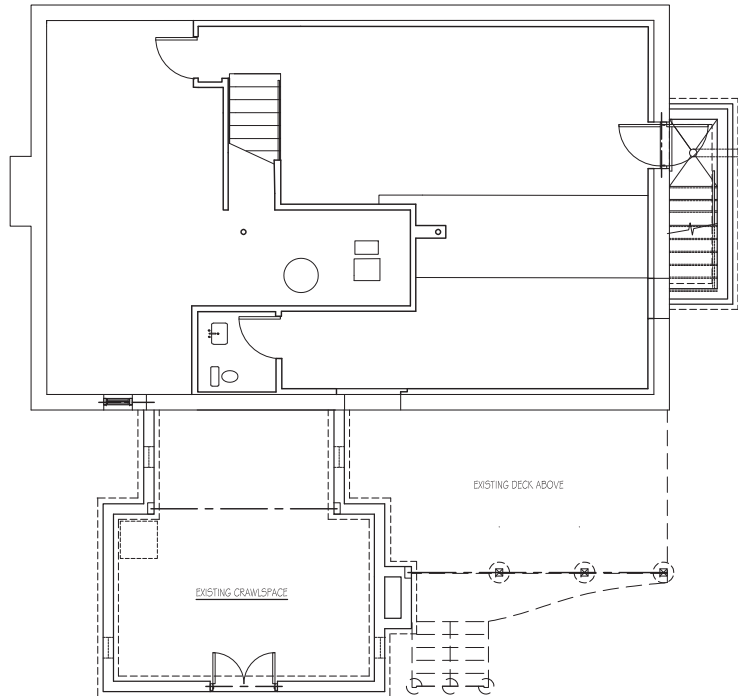
| SUB. | DESCRIPTION | DATE |
|------|-------------|------------|
| 1 | SD SET | 09/19/2025 |
| | | |
| | | |

Sheet name:
EXISTING SOUTH ELEVATION

Scale:
 Drawn by: HC
 Reviewed by: MB
 Date: 09-19-2025

Sheet no.:

Existing Basement Plan



EXISTING BASEMENT PLAN

SCALE: 1/8" = 1'-0"

INTEC aec

115 High Street, Brookville, Maryland 20833
p. 301.570.4100 f. 301.570.4101 www.INTECaec.com

Project Name:
Emig Addition

Project Location:
16529 Jilrick St
Rockville, MD 20853

Seal:

| SUB | DESCRIPTION | DATE |
|-----|-------------|------------|
| 1 | SD SET | 09/19/2025 |
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Sheet name:

EXISTING BASEMENT
PLAN

Scale:

Drawn by: JIC

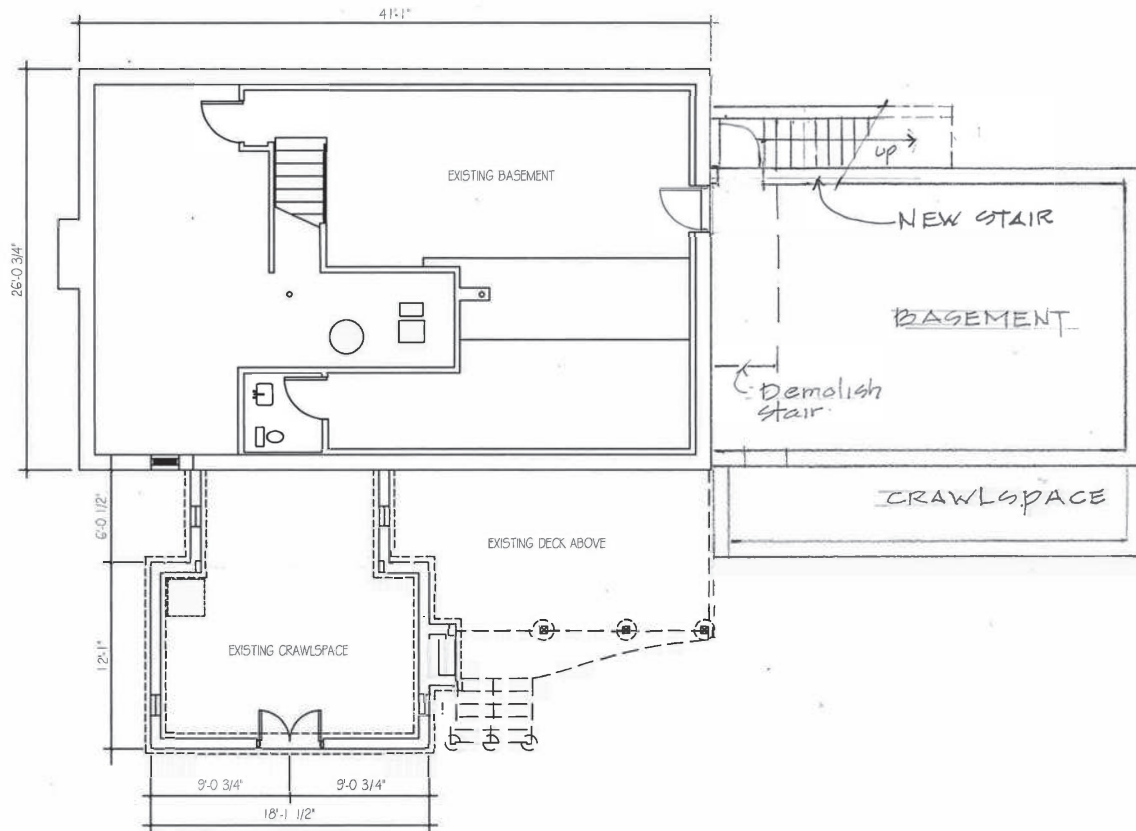
Reviewed by: MB

Date: 09-19-2025

Sheet no.:

Exhibit A05

Proposed Basement Plan



PROPOSED BASEMENT PLAN

SCALE: 1/8" = 1'-0"

INTECaec

15 High Street, Brookville, Maryland 20833
p. 301.570.4100 f. 301.570.4101 www.INTECaec.com

Project Name

Emig Addition

Project Location

16529 Jitrick St.
Rockville, MD 20853

Sheet

| SUB | DESCRIPTION | DATE |
|-----|-------------|------------|
| 1 | SD SET | 09-19-2025 |

Sheet name

PROPOSED BASEMENT
PLAN

Scale: 1/8" = 1'-0"

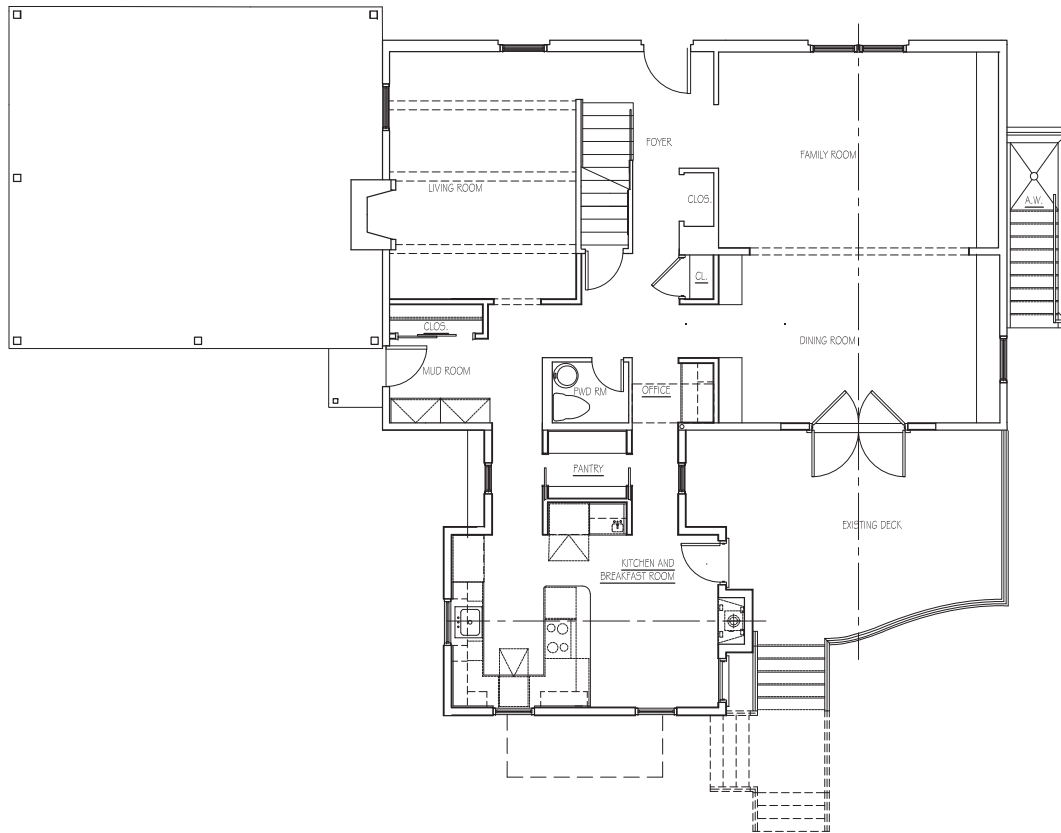
Drawn by: HC

Reviewed by: MB

Date: 09-19-2025

Sheet no:

Existing First Floor Plan



EXISTING FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"

INTEC aec

15 High Street, Brookville, Maryland 20833
p. 301.570.4100 f. 301.570.4101 www.INTECaec.com

Project Name:
Emig Addition

Project Location:
16529 Jitnick St
Rockville, MD 20853

Seat:

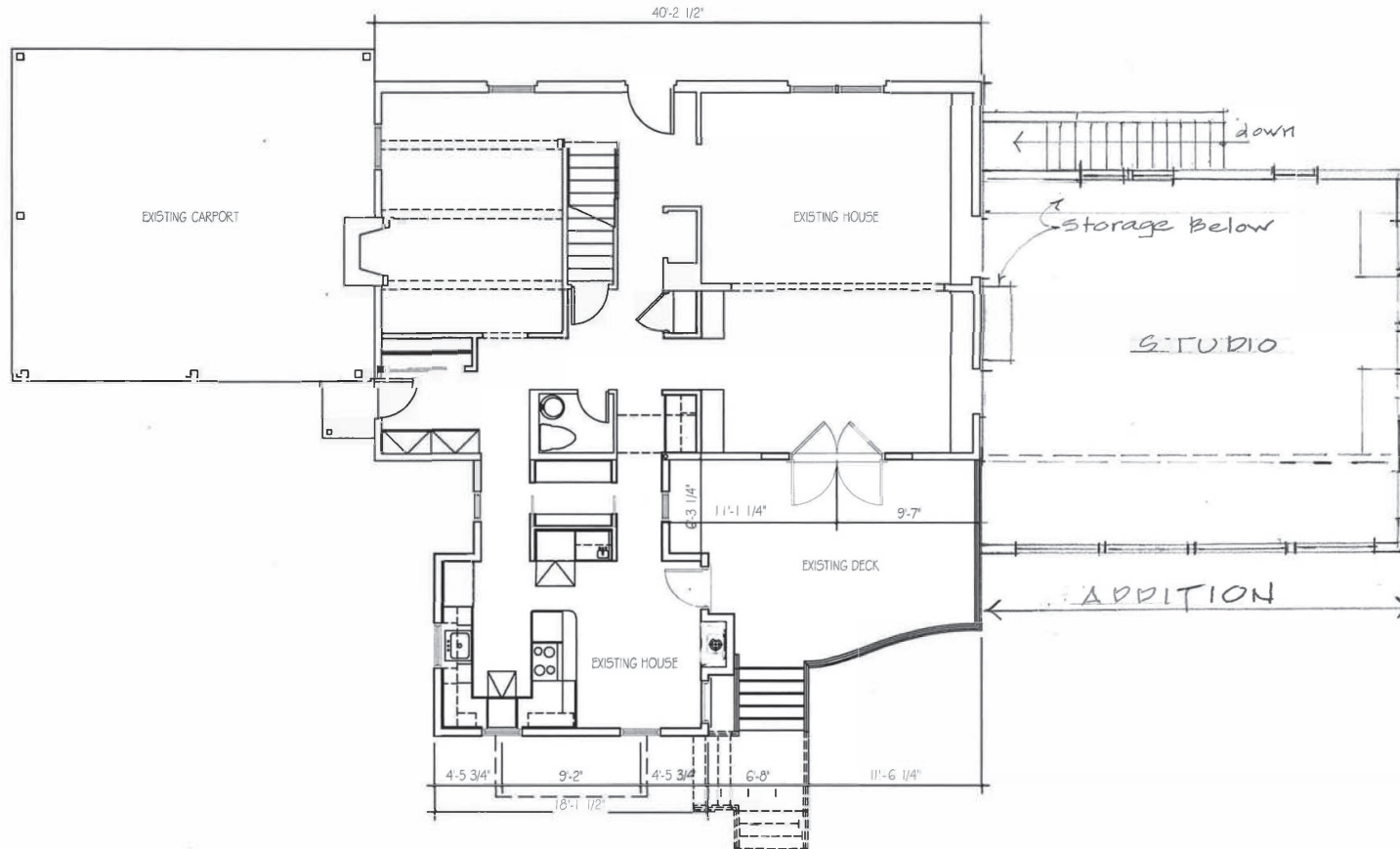
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| 1 | SD SET | 09/19/2025 |
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Sheet name:
**EXISTING FIRST FLOOR
PLAN**

Scale:
Drawn by: HC
Reviewed by: MB
Date: 09-19-2025

Sheet no.:

Proposed First Floor Plan



PROPOSED FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"

INTECaec

15 High Street, Brookville, Maryland 20833
p. 301.570.4100 f. 301.570.4101 www.INTECaec.com

Project Name
Emig Addition

Project Location
16529 Jibrick St
Rockville, MD 20853

Seal

| SUB | DESCRIPTION | DATE |
|-----|-------------|------------|
| 1 | SD SET | 09-19-2025 |
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Sheet name
PROPOSED FIRST FLOOR PLAN

Scale: 1/8" = 1'-0"
Drawn by: HZ
Reviewed by: MB
Date: 09-19-2025

Sheet no.

Existing Second Floor Plan

INTEC aec

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P. 301.570.4100 F. 301.570.4101 www.INTECaec.com

Project Name:
Emig Addition

Project Location:
16529 Jinnick St
Rockville, MD 20853

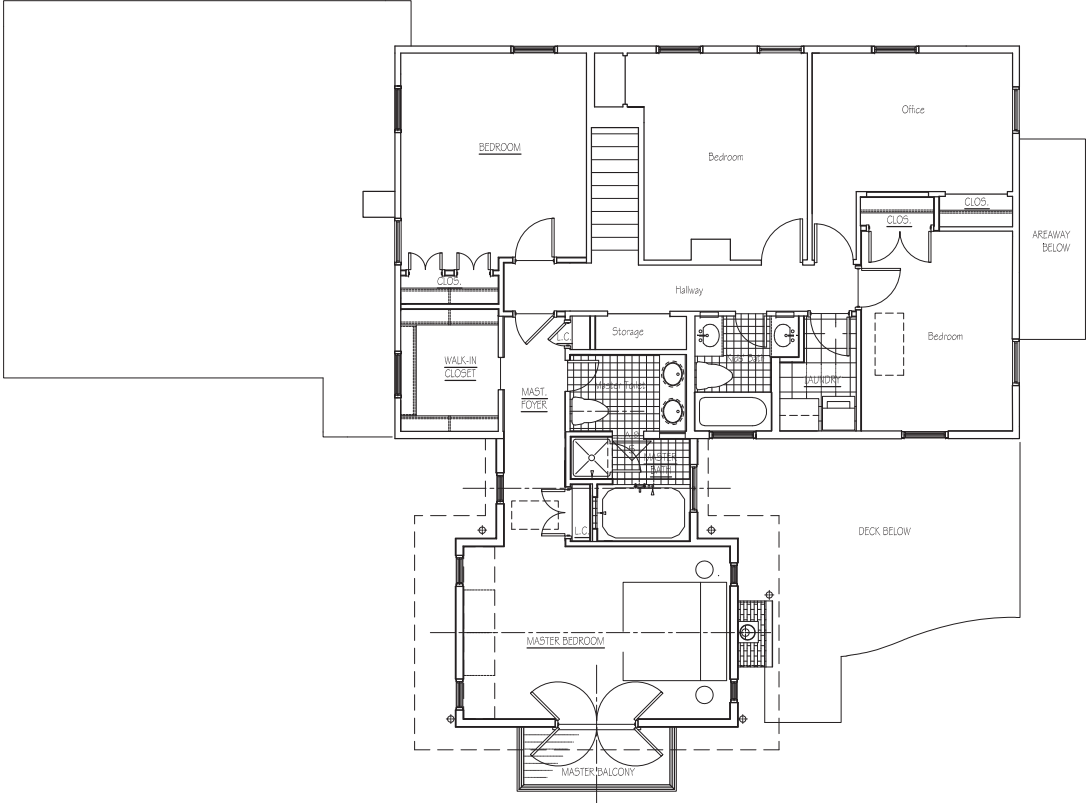
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| SUB | DESCRIPTION | DATE |
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| 1 | SD SET | 09/19/2025 |
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Sheet name:
EXISTING SECOND FLOOR
PLAN

Scale:
Drawn by: HC
Reviewed by: MB
Date: 09-19-2025

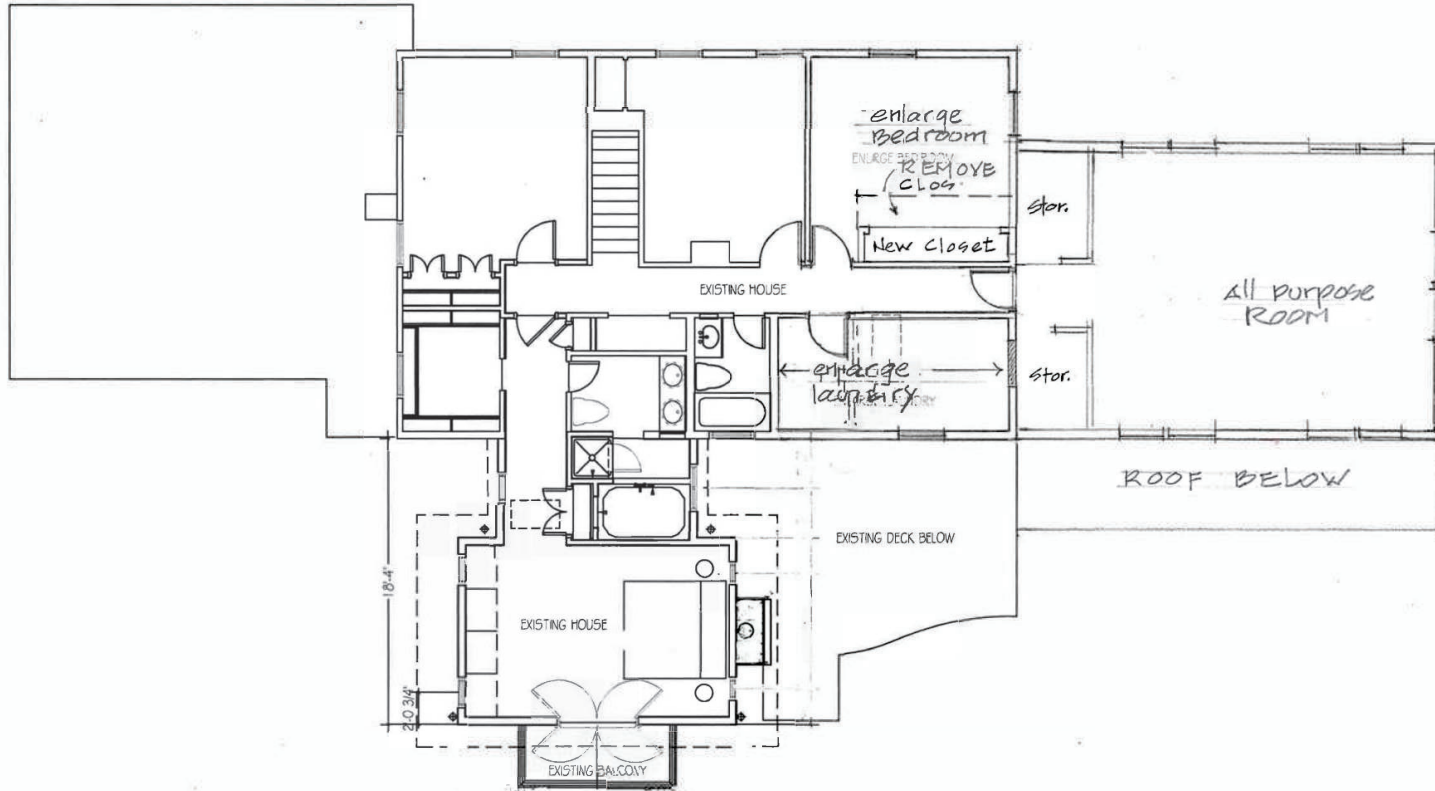
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EXISTING SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"

Proposed Second Floor Plan



PROPOSED SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"

INTECaec
15 High Street, Brookville, Maryland 20833
p. 301.570.4100 f. 301.570.4101 www.intecaec.com

Project Name
Emig Addition

Project Location
16529 Jitrick St
Rockville, MD 20853

Seal

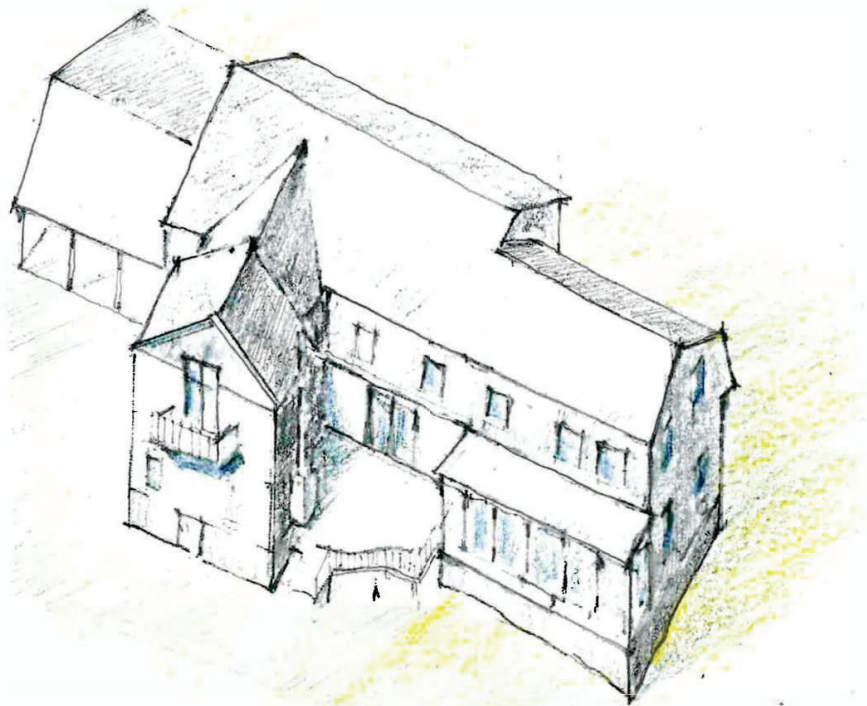
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Sheet name
PROPOSED SECOND FLOOR PLAN

Scale 1/8" = 1'-0"
Drawn by LC
Reviewed by MB
Date 09-19-2025

Sheet no.

Cover Sheet



EMIG ADDITION

16529 JILRICK STREET, ROCKVILLE, MARYLAND 20853

INTEC

aec

115 High Street, Brookeville, Maryland 20833
p. 301.570.4100 f. 301.570.4101 www.INTECaec.com

Project Name
Emig Addition

Project Location
16529 Jilrick St
Rockville, MD 20853

Set

| SUB | DESCRIPTION | DATE |
|-----|-------------|------------|
| 1 | SD SET | 09-19-2025 |
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| | | |
| | | |

Sheet name
COVERSHEET

Scale
Drawn by
Reviewed by
Date

Sheet no

BOARD OF APPEALS
for
MONTGOMERY COUNTY

Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, Maryland 20850

Telephone
Area Code 301
217-6600

Case No. A-4441

PETITION OF GERARD AND PAMELA EMIG
(Hearing held December 6, 1995)

OPINION OF THE BOARD
(Effective date of Opinion, December 22, 1995)

This proceeding is a petition pursuant to Section 59-A-4.11(b) of the Zoning Ordinance (Chap. 59, Mont. Co. Code 1984, as amended) for two variances. The petitioners propose to construct a carport and seek a variance of nine (9) feet from the required side lot line setback of twelve (12) feet in accordance with Section 59-C-1.323(b)(1). Petitioners also seek a variance of four (4) feet from the required front lot line setback (Jilrick Street) of forty (40) feet in accordance with Section 59-C-1.323(a).

The subject property is Lot 8, Block B, Brooke Manor Estates Subdivision, located at 16529 Jilrick Street, Rockville, Maryland in the R-200 Zone (Tax Account No. 008716567).

Decision of the Board: Requested variances granted.

Petitioner Gerard Emig appeared at the hearing and testified that the subject property is a corner lot and the dwelling is sited at an angle on the lot. They propose to construct a two-car open carport, 24' x 22', which would extend into the side lot line setback by nine feet and into the front lot line setback (Jilrick Street) by four feet (as depicted in Exhibit No. 4). The carport would be architecturally integrated with the existing house. Materials to be utilized would harmonize with those of the existing home.

Mr. Emig testified that the property is at the bottom of a hill and all the water runs down past his property, which continues the downward slope. The north side of his dwelling adjacent to Lescot Street also has a large setback requirement and slopes downward. A variance would be required if any new construction were undertaken on the north side. The dwelling on adjoining Lot 7 does not have any windows on the first floor, therefore his proposed carport will not block their view. Presently, there are hedges between the two properties, which will remain (photos, Exhibit No. 8(c)). In conclusion, Mr. Emig stated that the proposed carport will be located at the end of his existing driveway. There is a side chimney protrusion and a doorway in the area of the proposed carport. He assured the Board that the carport will remain open and will not be enclosed.

The petitioners' neighbors support the instant application as indicated by testimony of the applicant. No evidence in opposition was presented. The applicant was of the opinion that the proposed carport would increase the utility and value of the residence, and, coincidentally, would benefit neighboring home values.

Based on the petitioner's binding testimony and evidence of record, the Board finds that the variances can be granted. The subject property is a corner lot which requires large setbacks from two streets and the dwelling is sited at an angle on the lot. In addition, the property is sited at the bottom of a hill and the property continues a downward slope. These factors create difficulties in the siting of new construction. Therefore, the strict application of the setback requirements would result in practical difficulty to the applicants if the variances are not granted. Further, the Board finds that the variances requested are the minimum reasonably necessary to accomplish the proposed project and that the variances can be granted without substantial impairment of the intent, purpose and integrity of the General Plan. The Board finds that construction of a two-car open carport located beyond the setback, as proposed herein, is not likely to impair the intent of the Master Plan.

Accordingly, the requested variance of nine (9) feet from the twelve (12) foot required side lot line setback and the requested variance of four (4) feet from the required forty (40) foot front lot line setback (Jilrick Street) for the proposed two-car open carport are granted subject to the following conditions:

1. Applicants must be bound by all testimony and evidence in the record.
2. Construction must be completed according to plans entered in the record as Exhibit Nos. 5 and 8(a)-(b), revised plans.

The Board adopted the following Resolution:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland, that the opinion stated above be adopted as the Resolution required by law as its decision on the above entitled petition.

On a motion by William S. Green, seconded by Allison Bryant, with Helen Strang in agreement, the Board adopted the foregoing Resolution. Judith B. Heimann and K. Lindsay Raufaste, who were members of the Board at the time of the decision, concurred in the foregoing Resolution. Susan Turnbull and Judy Clark, who were not members of the Board at the time of the decision, did not participate in the foregoing Resolution.

I do hereby certify that the foregoing Opinion was officially entered in the Opinion Book of the County Board of Appeals this 22nd day of December, 1995.



Tedi S. Osias
Executive Secretary to the Board

NOTE: See Section 59-A-4.53 of the Zoning Ordinance regarding the twelve-month period within which the variances granted by the Board must be exercised.

The Board shall cause a copy of this Opinion to be recorded among the Land Records of Montgomery County.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County in accordance with the Maryland Rules of Procedures.

CASE NO. A-6953

PETITION OF GERARD J. EMIG
EXHIBIT LIST

1. Application
2. List of adjoining/confronting property owners
3. Statement of Justification
4. (a)-(b) Site Plans
5.
 - (a) Existing East Elevation
 - (b) Proposed East Elevation
 - (c) Existing North Elevation
 - (d) Proposed North Elevation
 - (e) Existing West Elevation
 - (f) Proposed West Elevation
 - (g) Existing South Elevation
 - (h) Existing Basement Plan
 - (i) Proposed Basement Plan
 - (j) Existing First Floor Plan
 - (k) Proposed First Floor Plan
 - (l) Existing Second Floor Plan
 - (m) Proposed Second Floor Plan
 - (n) Cover Sheet
6. DPS Building Permit Denial
7. Variance Case No. A-4441
8. Zoning Vicinity Map
9.
 - (a) Envelope showing date notice mailed
 - (b) Notice of hearing scheduled for February 11, 2026
10. _____
—
11. _____
—
12. _____
—
13. _____
—

Real Property Data Search ()
Search Result for MONTGOMERY COUNTY

[View Map](#) **No Ground Rent Redemption on File** **No Ground Rent Registration on File**

Special Tax Recapture: None

Account Number: **District - 08 Account Identifier - 00716567**

Owner Information

Owner Name: EMIG GERALD J & P W **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 16529 JILRICK ST **Deed Reference:** /09659/ 00345
ROCKVILLE MD 20853

Location & Structure Information

Premises Address: 16529 JILRICK ST **Legal Description:** BROOKE MANOR EST
ROCKVILLE 20853-0000

Map: HS33 **Grid:** 0000 **Parcel:** 0000 **Neighborhood:** 8210502.16 **Subdivision:** 0502 **Section:** B **Block:** 8 **Lot:** 2026 **Assessment Year:** **Plat No:** **Plat Ref:**

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1967 2,770 SF 600 SF 18,307 SF 111

StoriesBasementType **ExteriorQualityFull/Half BathGarage** **Last Notice of Major Improvements**
2 YES STANDARD UNITFRAME/4 3 full/ 2 half 1 Carport

Value Information

| | Base Value | Value | Phase-in Assessments | |
|---------------------------|------------|------------|----------------------|------------|
| | | As of | As of | As of |
| | | 01/01/2026 | 07/01/2025 | 07/01/2026 |
| Land: | 245,200 | 257,400 | | |
| Improvements | 386,200 | 503,200 | | |
| Total: | 631,400 | 760,600 | 631,400 | 674,467 |
| Preferential Land: | 0 | 0 | | |

Transfer Information

| | | |
|-----------------------------------|-----------------------------|-------------------------|
| Seller: | Date: 03/01/1991 | Price: \$204,500 |
| Type: ARMS LENGTH IMPROVED | Deed1: /09659/ 00345 | Deed2: |
| Seller: | Date: | Price: |
| Type: | Deed1: | Deed2: |
| Seller: | Date: | Price: |
| Type: | Deed1: | Deed2: |

Exemption Information

| | | | |
|------------------------------------|--------------|------------|------------|
| Partial Exempt Assessments: | Class | 07/01/2025 | 07/01/2026 |
| County: | 000 | 0.00 | |
| State: | 000 | 0.00 | |
| Municipal: | 000 | 0.00 0.00 | 0.00 0.00 |

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 08/15/2008

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**