

**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-6949

PETITION OF PARAS SHAH

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 14th day of January, 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, an addition, requires a variance of 2.25 feet as it is within 17.75 feet of the rear lot line. The required setback is twenty (20) feet, in accordance with Section 59.4.4.9.B of the Zoning Ordinance.

The subject property is Lot 4, Block 27C, B F Gilberts Add Subdivision, located at **1003 Hopewell Avenue, Takoma Park, Maryland 20912** in the R-60 Zone. (Tax Number Account No. 13-03162894)

Notices forwarded this 12th day of December, 2025, to:

Paras Shah

Eric Saul

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.

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

Docket No. A- 6949
Date Filed 11-17-25
Hearing Date 1-14-26
Time 9:30 a.m.

PETITION FOR VARIANCE UNDER ZONING ORDINANCE

(Please Note Instructions on Reverse Side)

(PLEASE PRINT)

Name of Petitioner(s): Paras Shah

Address of Petitioner(s): 1003 Hopewell Avenue City Takoma Park Zip 20912

Description of property involved: Lot 4 Block 27C Parcel 0000 Subdivision 0025

Street and No. 1003 Hopewell Avenue City Takoma Park Zip 20912 Zone Classification R-60

Appellant's present legal interest in above property (check one): Tax Account No. 03162894
 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? Second floor addition requires a variance to encroach the 20-foot rear yard setback by 2.25 feet. Section 59-4.4.9.B.2

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: Lot is only 5,000 square feet (6,000 is the typical lot size for R-60), rear lot line is angled, thus reducing the property size. Existing house already encroaches the rear setback line.

How will the peculiar condition described above result in practical difficulty if the requested variance is not granted? If not granted, the existing condition will create a structural practical difficulty as well as limit the ability for Petitioner to build a full length dormer on the rear of his home, like the neighbors have been able to do.

Date of recording of plat of present subdivision: 1941; or, if property is un-subdivided, date on which deed recorded, or state that such deed was first recorded prior to March 6, 1928: _____

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.

Eric Saul - Architect

Eric C. Saul

Paras Shah

Paras Shah

Name of Attorney/Agent (Print Name next to Signature)
8114 Carroll Avenue, Takoma Park, MD 20912

Signature of Petitioner(s) (Print Name next to Signature)
1003 Hopewell Ave, Takoma Park, MD 20912

Address of Attorney
714-553-1750

Address of Petitioner
202-436-0980

Phone Number
(OVER)

Home Phone

Work Phone

JUSTIFICATION STATEMENT

Property: 1003 Hopewell Avenue, Takoma Park, MD 20912, Tax Map JN61, Lot 4 of Block 27C, Subdivision 0025

Land Area: 5,000 square feet

Petitioner: Paras Shah, Owner

Request: Second floor addition requires a variance to encroach the 20-foot rear yard setback by 2.25 feet. Section 59-4.4.9.B.2

Zone: R-60

Factual Background

The existing lot has a 25' front yard setback, a 7' side yard setback, and a 20' rear yard setback (See Site Plan attachment). Petitioner purchased the existing property with the existing structure already encroaching the 20' rear setback (actual distance is approximately 17.75' from the property line). Section 59-4.4.9.B.2 of the Montgomery County Zoning Ordinance states that a rear setback in the R-60 zone must be minimum 20 feet from the property line.

Reason for Appeal

Petitioner proposes to construct a second-story rear dormer addition directly above the footprint of the existing first floor, which is 2.25' into the rear yard setback. The rear lot line is angled and clips through the corner of the existing house, causing an irregular condition. Petitioner requests a variance for a small triangular portion of the addition to be built beyond the rear setback line, approximately 8.3 square feet. Montgomery County Zoning Department reviewed and denied the building application on October 31, 2025 (Permit Number 1131916) citing Section 59-4.4.9.B.2 of the Montgomery County Zoning Ordinance. It was recommended by the Zoning Department that Petitioner obtain a variance for the proposed addition from the Board of Appeals.

Applicable Portion of Zoning Code

Petitioner is seeking a variance for the addition under the Montgomery County Zoning Code Section 59-4.4.9.B.2. Petitioner proposes to construct the 2nd floor addition 17.75' from the rear lot line, matching the distance of the existing first floor. The height of the addition will be well under the height limit of 30' to the midpoint of roof (Actual height is 21'-10 5/8" – elevations shown on attached Document "A2-Elevations").

Evidence Supporting Variance

Pursuant to Section 59-7.3.2.E of the Montgomery County Zoning Ordinance, the Board of Appeals must make affirmative findings on each of the following requirements (Only one of the E.2.a requirements need to be met) and the following evidence will support those findings.

E.2.a.i. Exceptional Shallowness, shape, and other extraordinary conditions peculiar to this lot

The subject lot has an irregular shape with an angled rear lot line that has reduced the size of the lot to only 5,000 square feet compared to the typical standard R-60 lot of 6,000 square feet. The angle of the rear lot line also creates a unique shallowness to the west side of the lot.

E.2.b. The Special circumstances or conditions are not the result of actions by the Petitioner

Per the State Department of Assessment and Taxation Real Property Search website, the primary structure for the subject property was built in 1941. At the time Petitioner purchased the property in 2012, the existing structure was already located 17.75' from the rear lot line, and the special circumstances or conditions were not a result of actions by the Petitioner.

E.2.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 this property.

Without a variance, it would be impractical from a structural standpoint to clip the corner at an irregular angle to meet the current rear setback requirements. Not being granted a variance for the very small 8.3 square feet of triangular space eliminates the opportunity to match what neighbors have done, which is to construct a full second floor addition on their houses. Being able to build a full-length rear dormer on the second floor would provide much needed space for Petitioner's family's needs.

E.2.d. The variance can be granted without substantial impairment to the intent and integrity of the general plan and applicable master plan.

By building a rear dormer addition over the existing footprint of the existing first floor, the proposed addition preserves the residential character of the neighborhood and allows the Petitioner to reinvest in their home and enhance their quality of life. A variance can be granted without impairment to the intent and integrity of the general plan and any applicable master plan in this area.

E.2.e. The granting of the variance will not be adverse to the use and enjoyment of abutting or confronting properties

The proposed addition to the existing structure will not extend beyond the existing footprint below, thus will not negatively impact the adjoining side yard. The addition will not negatively impact the character, health, safety, welfare, or security of the neighboring residents.

Conclusion

Petitioner submits that the subject application meets the evidentiary requirement of demonstrating the subject property's unique and unusual situation when compared to adjoining properties and the current neighborhood; and that this uniqueness causes the zoning requirements to disproportionately impact the reasonable use and enjoyment of this property, thus creating a practical difficulty.

Respectfully submitted,



Eric C. Saul, Architect

8114 Carroll Ave

Takoma Park, MD 20912

Phone: 301.270.0395

eric@saularchitects.com

Agent for Petitioner



SHAH RESIDENCE ADDITION AND RENOVATION

1003 HOPEWELL AVENUE | TAKOMA PARK, MD 20912



PROFESSIONAL CERTIFICATION:
I, ERIC SAUL, HEREBY CERTIFY
THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME,
AND THAT I AM A DULY LICENSED
ARCHITECT UNDER THE LAWS OF
THE STATE OF MARYLAND.
LICENSE NO. 14248, EXPIRATION
DATE JUNE 30, 2027

| | |
|-----------------------|-------------------------|
| PROJECT NUMBER: 24023 | |
| PRINTING LOG | |
| DATE | PURPOSE |
| 05.16.25 | PRIS-DESIGN |
| 05.23.25 | SCHEMATIC DESIGN MTG. 1 |
| 05.30.25 | SCHEMATIC DESIGN MTG. 2 |
| 06.04.25 | PRELIMINARY BID SET |
| 09.05.25 | PERMIT SET |

ZONING

CS

Exhibit 4



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: PARAS SHAH

ADDRESS: 1003 Hopewell Ave
Takoma Park, MD 20912

DPS Bldg A/P 1131916

LOT - BLOCK: 4 - 27C

ZONE: R-60

THE VARIANCE REQUEST IS FOR

| | | | |
|----------------------------|----------------------------|----------------------------|--------------------|
| <input type="checkbox"/> N | EXISTING STRUCTURE | <input type="checkbox"/> Y | PROPOSED STRUCTURE |
| <input type="checkbox"/> Y | NON-CONFORMING | <input type="checkbox"/> Y | NON-COMPLYING |
| <input type="checkbox"/> N | NEW SINGLE-FAMILY DWELLING | | |

TYPE OF CONSTRUCTION:

| | | | |
|----------------------------|---------------------|----------------------------|----------------------|
| <input type="checkbox"/> Y | ROOM ADDITION | <input type="checkbox"/> N | SWIMMING POOL |
| <input type="checkbox"/> N | PORCH | <input type="checkbox"/> N | DECK |
| <input type="checkbox"/> N | SHED | <input type="checkbox"/> N | FENCE/RETAINING WALL |
| <input type="checkbox"/> N | ACCESSORY STRUCTURE | <input type="checkbox"/> N | GARAGE/CARPORT |
| <input type="checkbox"/> N | OTHER | | |

The proposed construction is a 2-story addition being 17.75' from the rear property line. Principal structures can be constructed up to 20' from the rear property line for this Zone. Addition setbacks are classified under principal structure setbacks.

This property is zoned R-60 and has a plat recordation date of 1/29/1941. The rear setback for the primary structure, including additions, is 20. The proposed construction is 17.75' from the rear property line, thus requiring a 2.25' variance from Chapter 59.4.4.9.B.2.

The total variance requested is 2.25'. or a reduced partial rear setback minimum from 20' to 17.75 for the proposed addition.

10/31/2025

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-way previously dedicated by plat or other method of subdivision, can be included in map amendments for density purposes; rights-of-way included in a map amendment boundary assume the new zoning assigned in the map amendment.

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 reproduced in whole or in part without the express written
 permission of the Maryland-National Capital Park and Planning
 Commission. It is the property of the Maryland-National Capital
 Park and Planning Commission and is loaned to the
 Montgomery County Planning Department.
 It is not to be used for any purpose other than
 the administration of zoning and planning in
 Montgomery County.



MONTGOMERY COUNTY ZONING MAP
 The Maryland-National Capital Park and Planning Commission Montgomery County Planning Department

0 250 500 750 1,000 1,250 Feet

| | |
|--------------------|---|
| Account # | 03162894 |
| Address | 1003 HOPEWELL AVE TAKOMA PARK, 20912 |
| Landuse | Single Family Detached |
| Legal Description | B F GILBERTS ADD |
| Zone | R-60 |
| Overlay Zone | N/A |
| TDR Overlay Zone | N/A |
| Parking District | N/A |
| CBD | N/A |
| Parcel, Lot, Block | N/A, 4, 27C |

| | |
|----------------------------|------------------------|
| 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 Funding Area | N/A |
| Priority Funding Area | Yes |
| Septic Tier | Tier 1: Sewer existing |
| Municipality | TAKOMA PARK |
| Master Plan | TAKOMA PARK |
| Historic Site/District | N/A |

| | |
|------------------------|-------------------|
| WSSC Grid | 208NE01 |
| Map Amendments | G-351 G-791 G-956 |
| Water/Sewer Categories | W-1 / S-1 |

Printed: 11/4/2025

1 inch = 250 feet

I certify that this document is a copy of the official
 Montgomery County Zoning Map as downloaded
 on 11/4/2025 from mcatlas.org/zoning.

Russell Corbin

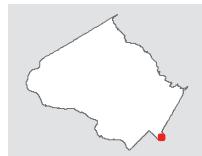
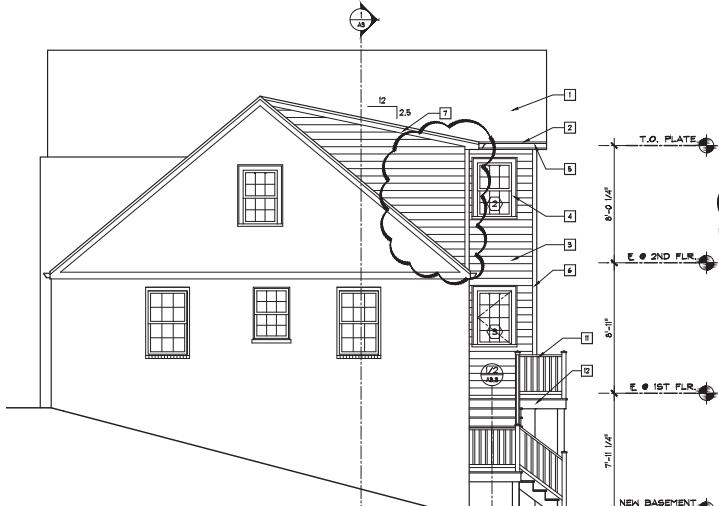


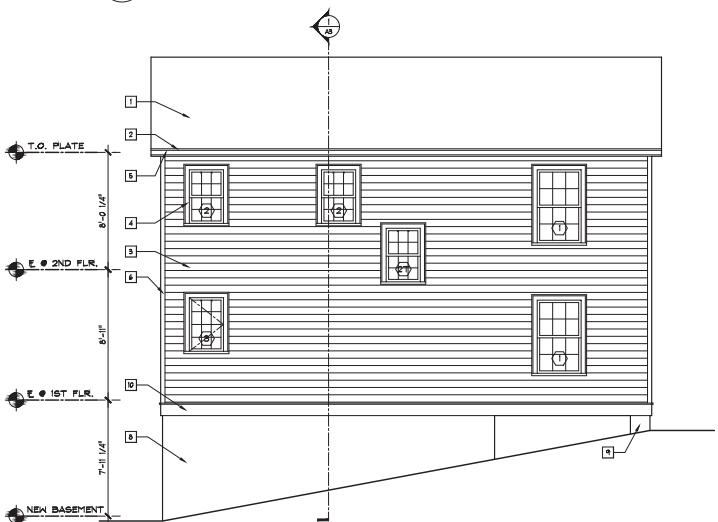
Exhibit 7



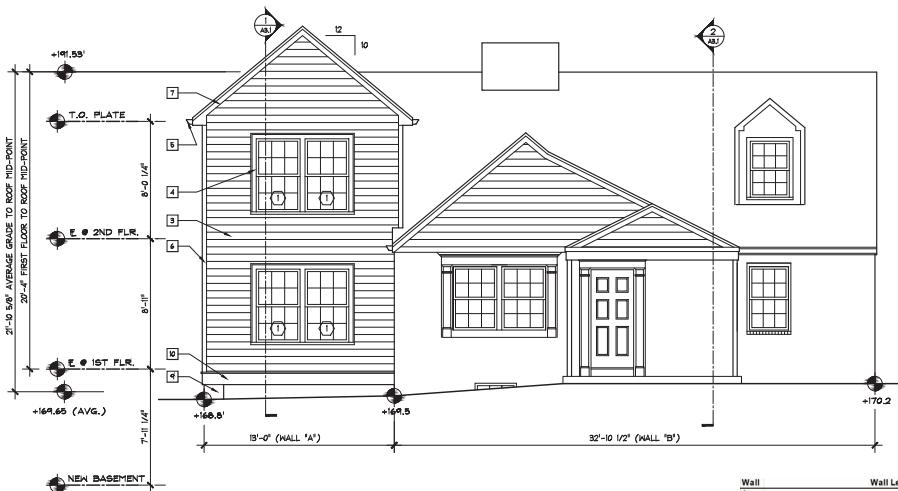
4 PROPOSED EAST SIDE ELEVATION
A2 1/4" = 1'-0"



3 PROPOSED REAR ELEVATION
A2 1/4" = 1'-0"



2 PROPOSED WEST SIDE ELEVATION
A2 1/4" = 1'-0"



1 PROPOSED FRONT ELEVATION
A2 1/4" = 1'-0"



ELEVATION KEYNOTES:

- 1 30 YR. ASPHALT SHINGLE ROOFING - MATCH EXISTING
- 2 1X6 PVC FASCIA BD - PTD
- 3 NEW HARDIE SIDING W/ 7" EXPOSURE - PTD
- 4 NEW 5X4 AZEK WINDOW TRIM ON TOP/SIDES WITH 2" HISTORIC SILL - PTD
- 5 PREFINISHED ALUM. GUTTER - MATCH EXIST.
- 6 4" PVC CORNERBOARD
- 7 1X6 AZEK RAFTER BOARD
- 8 NEW PARGED AND PAINTED CMU FOUNDATION WALL
- 9 NEW PARGED AND PAINTED CMU PIER
- 10 1X6 PVC TRIM BAND WITH 1/2" DRIP CAP
- 11 NEW 36" HIGH WOOD RAILING - SEE DETAILS
- 12 NEW WOOD DECK/BALCONY - SEE DETAIL
- 13 NEW METAL JULIET BALCONY - SEE DETAIL

SAUL ARCHITECTS
8TH CARROLL AVENUE | TAKOMA PARK, MD 20912
P: 301.272.0295 | info@saularchitects.com | www.saularchitects.com

REVISIONS
△ PENTAGON SET

SHAH RESIDENCE
ADDITION AND RENOVATION
1003 HOPWELL AVENUE | TAKOMA PARK, MD 20912
APRIL 2023
DRAWING NO. 2023-04-1003-HOPWELL-AV-1
REVISION NO. 1
DRAWN BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]



PROFESSIONAL CERTIFICATION
I, ERIC SAUL, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED IN ACCORDANCE WITH THE
AND THAT I AM A DULY LICENSED
THE STATE OF MARYLAND, NO. 14248,
LICENSE NO. 14248, EXPIRATION
DATE JUNE 30, 2027

PROJECT NUMBER: 24023
SUBMISSIONS: 1
DATE: 04/20/2023
05/16/23 - PRE-DESIGN
05/23/23 - SCHEMATIC DESIGN MTG. 1
05/23/23 - SCHEMATIC DESIGN MTG. 2
05/23/23 - CIVIL DRAWING SET
05/23/23 - ROOFING DRAWING SET
11/04/23 - VARIOUS REVISION SET

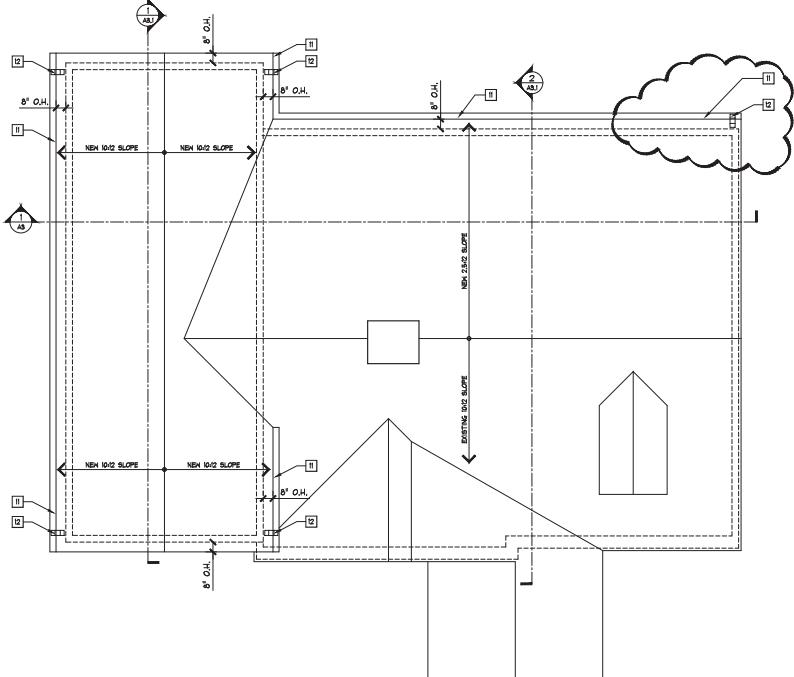
EXTERIOR
ELEVATIONS

A2

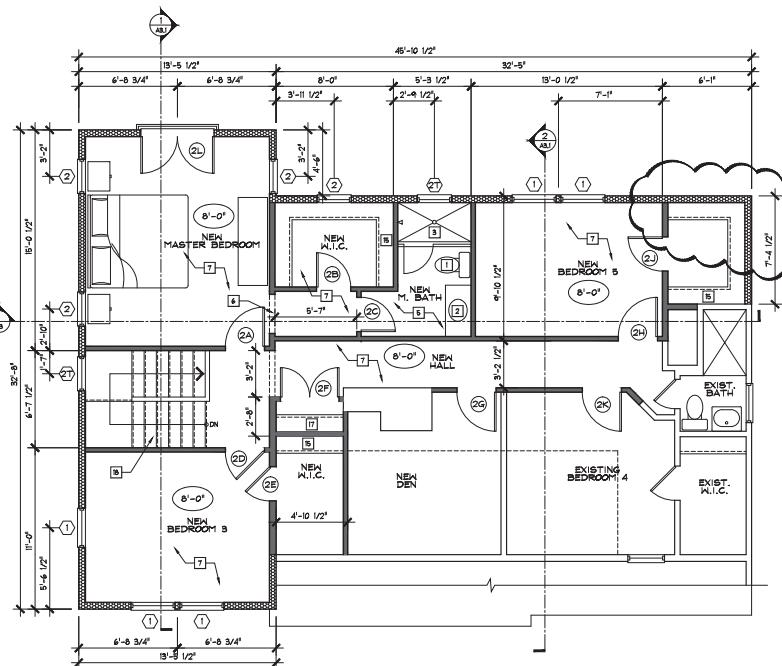
| Wall | Wall Length | 1st Env. | 2nd Env. | Avg. Env. | Total |
|-------|-------------|----------|----------|-----------|---------|
| A | 13.00 | 169.80 | 169.50 | 169.15 | 2198.95 |
| B | 32.88 | 169.50 | 170.20 | 169.85 | 5584.67 |
| Total | 45.88 | | | | 7783.62 |

Avg. Elevation at Front of House 169.63

Exhibit 5(a)



2 PROPOSED ROOF PLAN
AI.2 1/4" = 1'-0"



1 PROPOSED SECOND FLOOR PLAN
AI.2 $1/4"$ = $1'-0"$

FLOOR PLAN KEYNOTES:

- 1 NEW TOILET
- 2 NEW 42" VANITY
- 3 NEW CUSTOM TILED SHOWER w/ GLASS ENCLOSURE AND TILED SOAP NICHE
- 4 GRAVEL ON GRADE
- 5 NEW TILE FLOORING - SELECTED BY OWNER
- 6 NEW CASED OPENING - MATCH ADJACENT
- 7 NEW HARDWOOD FLOORING TO MATCH DIRECTION OF EXISTING - ADD BLOCKING UNDER FLOOR AS NEEDED
- 8 NEW KITCHEN CABINETS PER SEPARATE KITCHEN DESIGN DRAWINGS
- 9 NEW 36" HIGH DECK GUARDRAIL
- 10 PT DECKING BOARDS
- 11 PT PRE-FINISHED GUTTER TO MATCH EXISTING HOUSE
- 12 DOWNSPOUT - MATCH EXISTING HOUSE
- 13 NEW 30 YEAR ARCHITECTURAL ROOF SHINGLE - COLOR SELECTED BY OWNER
- 14 NEW BUILT-IN
- 15 CUSTOM CLOSET ORGANIZING
- 16 NOT USED
- 17 CLOSET/PANTRY SHELVING TO BE DESIGNED OR SELECTED BY OWNER
- 18 NEW KITCHEN PEL. CODE: 36" MIN WIDTH; 80" MIN. CLEARANCE; 7.75" MAX RISER; 10' MIN TREAD DEPTH

SHAH RESIDENCE

ADDITION AND RENOVATION

ADDITION AND RENOVATION



PROFESSIONAL CERTIFICATION
ERIC SAUL, HEREBY CERTIFY
THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY
AND THAT I AM A DULY LICENSED
ARCHITECT UNDER THE LAWS
THE STATE OF MARYLAND.
LICENSE NO. 14248, EXPIRATION
DATE JUNE 30, 2027

PROJECT NUMBER: 240

GENERAL NOTES:

1. ALL DIMENSIONS ARE TO FACE OF STUD, CONCRETE OR MASONRY ON NEW WALLS, AND TO FACE OF FINISH OF EXISTING WALLS.
2. ANGLED WALLS ARE 45° TO ADJACENT WALLS, U.N.O.
3. DOORS TO BE LOCATED 4' FROM WALL ON HINGE SIDE, 3' FROM WALL ON PULL SIDE.

FLOOR PLAN LEGEND

PROPOSED 2ND
FLOOR AND
ROOF PLANS

A1.2

Exhibit 5(b)

CASE NO. A-6949

PETITION OF KEVIN BROWN
EXHIBIT LIST

1. Application
2. List of adjoining/confronting property owners
3. Statement of Justification
4. Site Plan
5. (a) Proposed East, West, Front & Rear Elevations
(b) Proposed Roof and Second Floor Plans
6. DPS Building Permit Denial
7. Zoning Vicinity Map
8. (a) Envelope showing date notice mailed
(b) Notice of hearing scheduled for January 14, 2026
9. _____
10. _____
11. _____
12. _____

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 - 13 Account Identifier - 01113357

Owner Information

| | | | |
|------------------|---|----------------------|---------------|
| Owner Name: | GLANDER MARK C & P E | Use: | RESIDENTIAL |
| Mailing Address: | 1902 EVEREST ST SILVER SPRING MD 20902 | Principal Residence: | YES |
| | | Deed Reference: | /10394/ 00485 |

Location & Structure Information

| | | | |
|-------------------|---|--------------------|----------------|
| Premises Address: | 1902 EVEREST ST SILVER SPRING 20902-0000 | Legal Description: | FOREST ESTATES |
|-------------------|---|--------------------|----------------|

| | | | | | | | | | |
|------|-------|---------|---------------|--------------|----------|--------|------|------------------|-----------|
| Map: | Grid: | Parcel: | Neighborhood: | Subdivision: | Section: | Block: | Lot: | Assessment Year: | Plat No: |
| JP22 | 0000 | 0000 | 13240035.16 | 0035 | | F | 8 | 2026 | Plat Ref: |

Town: None

| | | | | |
|-------------------------|-------------------------|------------------------|--------------------|------------|
| Primary Structure Built | Above Grade Living Area | Finished Basement Area | Property Land Area | County Use |
| 1947 | 1,863 SF | | 5,680 SF | 111 |

| | | | | | | |
|---------|---------------|--|---------|----------------|------------|-----------------------------------|
| Stories | Basement Type | Exterior | Quality | Full/Half Bath | Garage | Last Notice of Major Improvements |
| 2 | YES | STANDARD UNIT1/2 BRICK FRAME/4 SIDING | | 1 full/ 1 half | 1 Attached | |

Value Information

| | Base Value | Value | Phase-in Assessments | |
|--------------------|------------|------------|----------------------|------------|
| | | As of | As of | As of |
| | | 01/01/2026 | 07/01/2025 | 07/01/2026 |
| Land: | 206,900 | 206,900 | | |
| Improvements | 282,000 | 355,700 | | |
| Total: | 488,900 | 562,600 | 488,900 | 513,467 |
| Preferential Land: | 0 | 0 | | |

Transfer Information

| | | | | |
|---------|--------|---------------|--------|-----------|
| Seller: | Date: | 05/28/1992 | Price: | \$208,000 |
| Type: | Deed1: | /10394/ 00485 | 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 07/30/2010

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date: