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-6944

PETITION OF IGNACIO ZAMORA AND LIZ CHAMORRO

NOTICE OF NEW HEARING DATE

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 17th day of December, 2025, 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 detached accessory dwelling unit ("ADU") (conversion of an existing noncomplying garage to ADU use) requires a variance of 20.92 feet as it is within 19.08 feet of the front lot line. The required setback is 40 feet in accordance with Section 59.4.4.7.B.2 of the Zoning Ordinance.

In addition, the proposed construction requires a variance from the maximum gross floor area. Per Section 59.3.3.3.C.2.e of the Zoning Ordinance, the maximum gross floor area for a detached ADU is the least of (i) 50% of the footprint of the principal dwelling; (ii) 10% of the lot area; or (iii) 1,200 square feet of gross floor area. The footprint of the main building on the subject property is 1,020.3 square feet; the gross floor area of the proposed ADU is 738 square feet. Accordingly, the proposed ADU requires a variance of 228 square feet from the gross floor area limitation.

The subject property is Parcel P027, Lot in Damascus Subdivision, located at **26016 Ridge Road, Damascus, Maryland 20872** in the R-200 Zone. (Tax Number Account No. 12-00924404)

Case No. A-6944 Page 2

Notices forwarded this 6th day of November, 2025, to:

Ignacio Zamora and Liz Chamorro Juan Carlos Serrano

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

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CASE NO. A-6944

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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 12th day of November, 2025, 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.

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Case No. A-6944 Page 2

Notices forwarded this 10th day of October, 2025, to:

Ignacio Zamora and Liz Chamorro Juan Carlos Serrano

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
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BOA Form 2 (Revised 4/23/25)

BOARD OF APPEALS FOR

MONTGOMERY COUNTY, MARYLAND (240) 777-6600

Docket No. A-_ Date Filed Hearing Date _ Time

PETITION FOR VARIANCE UNDER ZONING ORDINANCE

(Please Note instructions on Reverse Side)
Name of Petitioner(s): Ignacio Zamera and Liz Chamorro
Address of Petitioner(s): Z6016 Ridge Rd City Damasevs Zip 2087Z
Description of property involved: LotBlockParcelSubdivision
Street and No. Z6016 Ridge Rd City Damasers Zip 20872 Zone Classification R 200
Appellant's present legal interest in above property (check one): Tax Account No. 00924404 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? Setback 20.92ft variance Section 59-4.4.7. B.2 & Variance of GFA for 2285F with Section 59-3.3.3. C. Z.e.i
Check existing reason(s) why the Ordinance requirement(s) would result in practical difficulties for property owner: narrownessshallownessshapetopographyother extraordinary situations or conditions peculiar to this property.
Describe this property's extraordinary situation or peculiar conditions compared to neighboring properties: please see "statement of Justification"
How will the peculiar condition described above result in practical difficulty if the requested variance is not granted? please see "Statement of Justification"
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:
Has any previous variance application involving this property been made to the Board of Appeals? If so, give Case Number(s): n/a
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. The science of the statements and information contained in or filed with this petition are true and correct. The science of the statements and information contained in or filed with this petition are true and correct. The science of this formation contained in or filed with this petition are true and correct. The science of this formation contained in or filed with this petition are true and correct. The science of this formation contained in or filed with this petition are true and correct. The science of this formation contained in or filed with this petition are true and correct. The science of this formation contained in or filed with this petition are true and correct. The science of this formation contained in or filed with this petition are true and correct. The science of this formation contained in or filed with this petition are true and correct. The science of this formation contained in or filed with this petition are true and correct. The science of this formation contained in or filed with this petition are true and correct. The science of this formation contained in or filed with this petition are true and correct. The science of this formation contained in or filed with this petition are true and correct. The science of this formation contained in or filed with this petition are true and correct. The science of this formation contained in or filed with this petition are true and correct. The science of this formation contained in or filed with this petition are true and correct. The science of this filed with this petition are true and correct. The science of this filed with this petition are true and correct. The science of this filed with this petition are true and correct. The science of this filed with this petition are true and correct of

September 10, 2025

Chairman, Montgomery County, MD, Board of Appeals Council Office Building, 100 Maryland Avenue, Room 217 Rockville, Maryland 20850

Phone:240.777.6600

Property: 26016 Ridge Rd, Damascus, MD 20872

Petitioner: Ignacio Zamora & Liz Chamorro

Request: The proposed construction of a detached ADU requires a 20.92 ft variance as it is within 19.08 ft of the front line. The required setback is 40.00 ft in accordance with **Section 59-4.4.7.B.2.**

The proposed construction requires a variance of GFA since the maximum GFA for Detached ADU must be 50% of the main building footprint in accordance with **Section 59-3.3.3.C.2.e.i.**Main Building footprint is 1,020.3 SF. Proposed ADU GFA is 738 SF and will require a variance of 228 SF

The proposed alteration's purpose is to convert an existing garage to ADU use.

Background

We, Ignacio Zamora & Liz Chamorro (Petitioner), are filing for this appeal for a variance to allow us to construct an ADU in the existing garage. In discussions with DPS, it became apparent that I would need a setback variance of 20.92 ft due to the fact that the garage was built too close to the property line. Additionally, we would need a variance of GFA of 228 sf, as the proposed detached ADU is larger than the permitted total GFA. The original house structure was built in 1938, and the detached garage was constructed prior to 1993. The detached ADU is planned to be used by relatives.

Reason for Appeal

This appeal is to allow the conversion of an existing accessory structure to ADU use. At the beginning of the process, we consulted with the Montgomery County Zoning and the Department of Housing, and we received confirmation from Zoning that the regulations permit us to construct an ADU in the existing garage. (see Exhibit 'A', email from Delvin Daniels, zoning specialist with DPS). Now, after submission of the project, zoning, as part of the permit

application, in contradiction to the original statement, has informed us that we cannot move forward with this project unless we seek and obtain a variance for a setback and GFA variances. I would like to clarify that we were unable to locate a building permit for this project; however, it was constructed more than 32 years ago, and the front setback at the garage was in compliance prior to the widening of Bethesda Church Road around 2005 (see Exhibit 'B', aerial photos). The owner has invested a significant amount of money and effort in this process, including the permit application, County fees, and architectural fees, and even purchased materials in advance to secure better pricing. Additionally, neither the bulk nor mass of the existing accessory structure will be modified. Surrounding vegetation disallows views into the property, and we believe the distance between the proposed converted ADU and adjacent property structures would not adversely affect those property owners' right to enjoyment of their property (see Exhibit 'C', context photos).

Evidence Supporting Variance

- 1. The proposed ADU alters an existing accessory structure
 - a. Based on the provided photographs from Google Earth, the garage structure was built in 1993, and the proposed construction is to convert the garage to ADU use.
- 2. Special circumstances or conditions are not the result of actions by the applicant
 - a. The owner purchased this property in 2021, and this accessory structure was built not later than 1993. The petitioner was not aware that this accessory structure was either constructed without a permit or that the DPS is unable to find a record of it, even if it was permitted, for example, 40 years ago.
 - b. The architect submitted the construction documents to the Department of Housing and DPS based on a previous review by Delvin Daniels, a zoning specialist with DPS, who mentioned that the zoning regulations allow an ADU in this existing garage.
- 3. The requested variance is the minimum necessary to overcome practical difficulties that full compliance would impose due to the conditions on the property
 - a. The proposed construction of a detached accessory structure used as an ADU requires a minimum 20.92 ft setback variance as it is within 19.08 ft of the front line.
 - b. Proposed ADU GFA is 738 SF and will require a minimum variance of 228 SF.
- 4. Variance can be granted without substantial impairment to the intent and integrity of the general plan and the applicable master plan.
 - a. The construction of this ADU will remain within the existing garage and will not challenge the integrity of the master plan.

- 5. Granting variance will not be adverse to the use and enjoyment of abutting and confronting properties.
 - a. Air and light to the neighboring properties will not be affected since the structure is only one story, and was built at least 32 years ago.
 - b. The privacy of use and enjoyment of the neighboring properties will not be unduly compromised since the ADU will be located within the existing garage.
 - c. The proposed ADU shall not visually intrude upon the character, scale, and pattern of adjacent property structures because it will be built within the existing garage.
 - d. The ADU will keep the same style and materials as the existing house. It will be in harmony with the general purpose and intent of the Zoning Regulations.
 - e. There will be no loss of off-street parking, and it will not adversely affect the use of the neighboring properties.

I respectfully request that BOA grant these variances.

Kindly,

Ignacio Zamora

Liz Chamorro

EXHIBIT 'A'

Juan Serrano

From: Daniels, Delvin < Delvin.Daniels@montgomerycountymd.gov>

Sent: Monday, March 17, 2025 1:41 PM

To: Juan Serrano

Subject: RE: 26016 Ridge Rd- Future ADU in existing garage

Follow Up Flag: Follow up Flag Status: Flagged

Good afternoon.

Based on our conservation the proposal is to create an ADU in the detached garage. An ADU in the existing garage is allowed based on Zoning regulations. Please be aware that approvals from the Department of Housing is necessary.

Also please be aware that new door or window opening must be setback at least 40 feet from the Bethesda Church Road lot line. Please contact WSSC about sewer/water permits and fees.

Thanks

Delvin L. Daniels
Zoning Specialist
240-777-6249
Department of Permitting Services
2425 Reedie Drive
Wheaton, Maryland 20902
"Make No Decision Based On Selfish Ambition"

From: Juan Serrano < jcserrano@jcsarchitecture.com>

Sent: Monday, March 17, 2025 1:11 PM

To: Daniels, Delvin < Delvin. Daniels@montgomerycountymd.gov>

Subject: 26016 Ridge Rd- Future ADU in existing garage

[EXTERNAL EMAIL]

Good morning Delvin,

I hope all is well with you. This client wants an ADU in the existing garage of this property.

Please let me know if you see any issues with this.

Thank you for your time and consideration.

Juan Carlos Serrano, RA CDT, LEED Green Associate Principal jcserrano@jcsarchitecture.com

301.461.8961





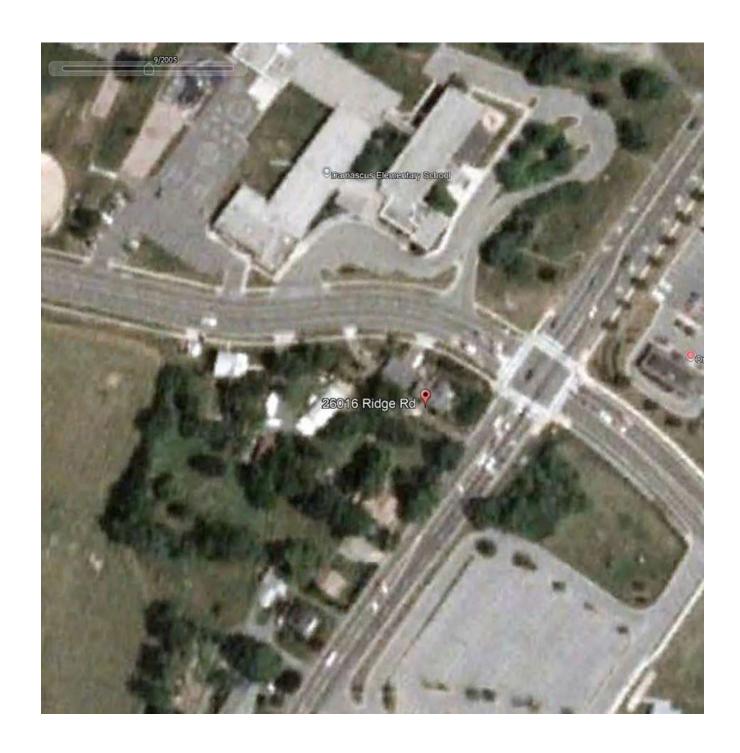
For more helpful Cybersecurity Resources, visit: https://www.montgomerycountymd.gov/cybersecurity

EXHIBIT 'B'



ARIAL VIEW 4/1993

EXHIBIT 'B'



ARIAL VIEW 9/2005

EXHIBIT 'C'

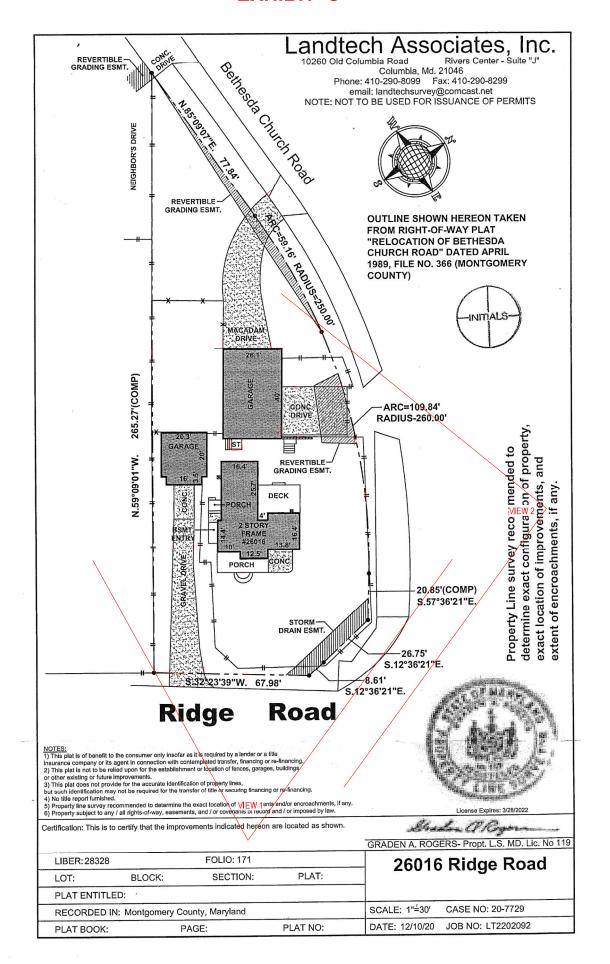


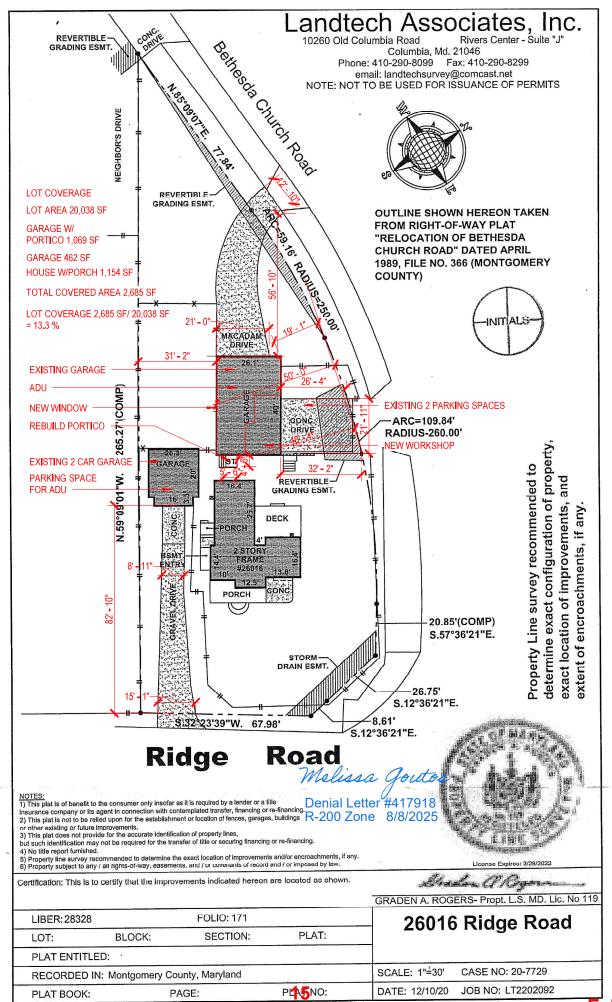
EXHIBIT 'C'

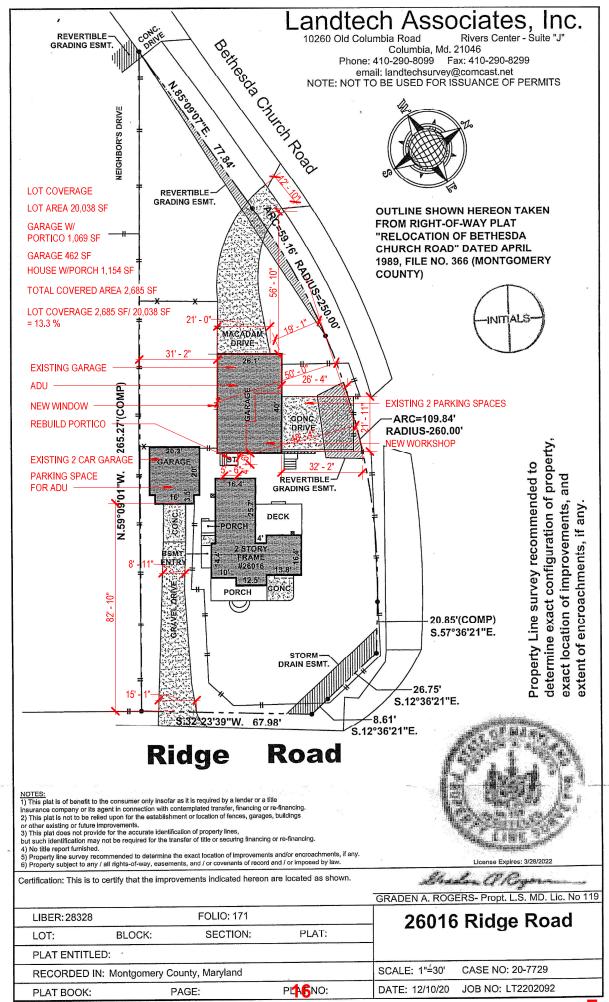


VIEW 1



VIEW 2







Marc Elrich
County Executive

Rabbiah Sabbakhan *Director*

BUILDING PERMIT DENIAL

The Department of Permitting S	Services cannot iss	ue a building per	mit for the prope	rty indicated	below with	iout a varian	ce from the
Montgomery County Board of	Appeals.						

NAME:	IGNACIO ZAMORA		
ADDRESS:	26016 RIDGE RD DAMASCUS, MD 20872		
LOT - BLOC	K: N/A - N/A		ZONE: R-200
THE VARIA	NCE REQUEST IS FOR		
Y	EXISTING STRUCTURE	N	PROPOSED STRUCTURE
N	NON-CONFORMING	Y	NON-COMPLYING
N	NEW SINGLE-FAMILY DWELLING		
TYPE OF CC	NSTRUCTION:		
N	ROOM ADDITION	N	SWIMMING POOL
N	PORCH	N	DECK
N	SHED	N	FENCE/RETAINING WALL
Y	ACCESSORY STRUCTURE	N	GARAGE/CARPORT
N	OTHER		
The proposed	d construction of detached ADU red	quires a 20	.92 ft. variance as it is within 19.08 ft. of the front lot line.
The required	setback is 40.00 ft. in accordance v	with <i>Sectio</i>	on 59-4.4.7.B.2.
Bldg footprir			ce the max GFA for a Detached ADU must be 50% of Main. Main Bldg footprint is 1,020.3 SF. Proposed ADU GFA is
	d construction is to convert existing onstruction of existing detached gar		lying garage to ADU use. DPS could not locate a permit on
Meliss	ra Goutos	8/	8/2025
Signature	U		Date

TDR: 0.5 RE-2C TDR: 1.0 PD-7 R-200

NOTES CONCENDING ZONING IN RIGHTS-OF-WAY.

1. Zone boundaries must not be regarded in public projection do yet a proper controller of each right-of-way.

1. Zone boundaries within right-of-ways provisorly dedicated by fair or other method of subtivision can be included in map a punchasis for each superpose of subtivision can be included in map a mentalment boundary.

COUNTY ZONING MAP

MONTGOMERY COUNTH The Maryland-National Capital Park and Planning Commission

Montgomery County Planning Department



Account#	00924404
Address	26016 RIDGE RD DAMASCUS, 20872
Landuse	Single Family Detached
Legal Description	LOT IN DAMASCUS
Zone	R-200
Overlay Zone	N/A
TDR Overlay Zone	N/A
Parking District	N/A
CBD	N/A
Parcel, Lot, Block	P027 , N/A , N/A

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	Tier 2: Sewer planned
Municipality	N/A
Master Plan	DAMASCUS MASTER PLAN
Historic Site/District	N/A 4

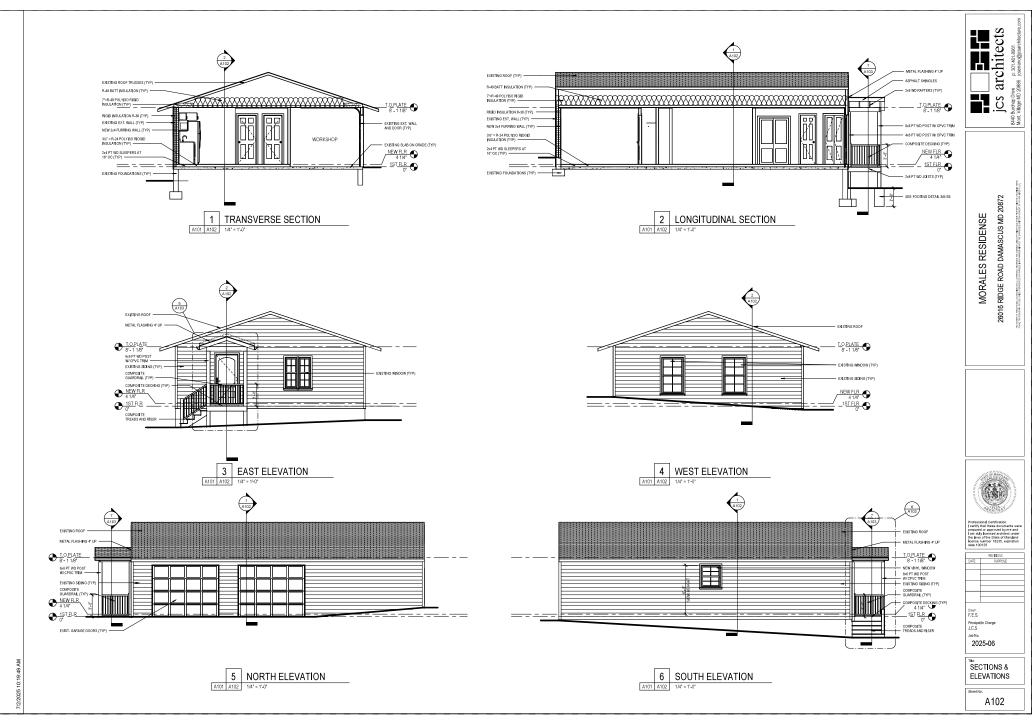
WSSC Grid	236NW10		
Map Amendments	G-266 G-352 G-514 G-854 G-956		
Water/Sewer Categories	W-1 / S-6		

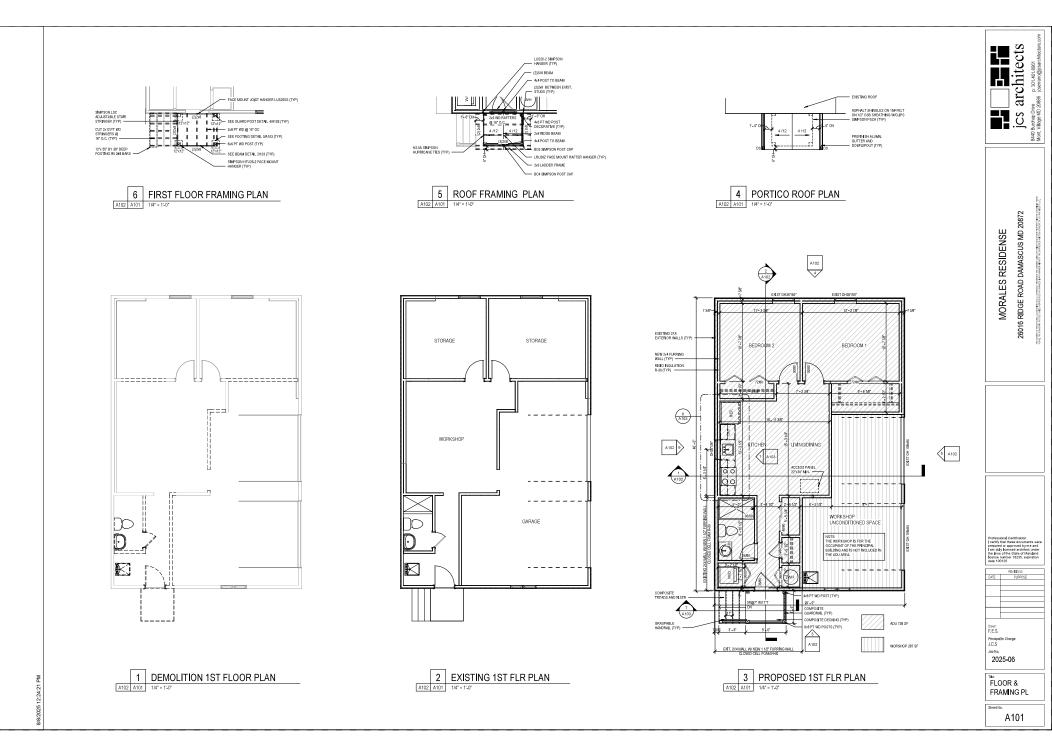
I certify that this document is a copy of the official Montgomery County Zoning Maps as downloaded on 9/3/2025 from MCATLAS.ORG/ZONING.

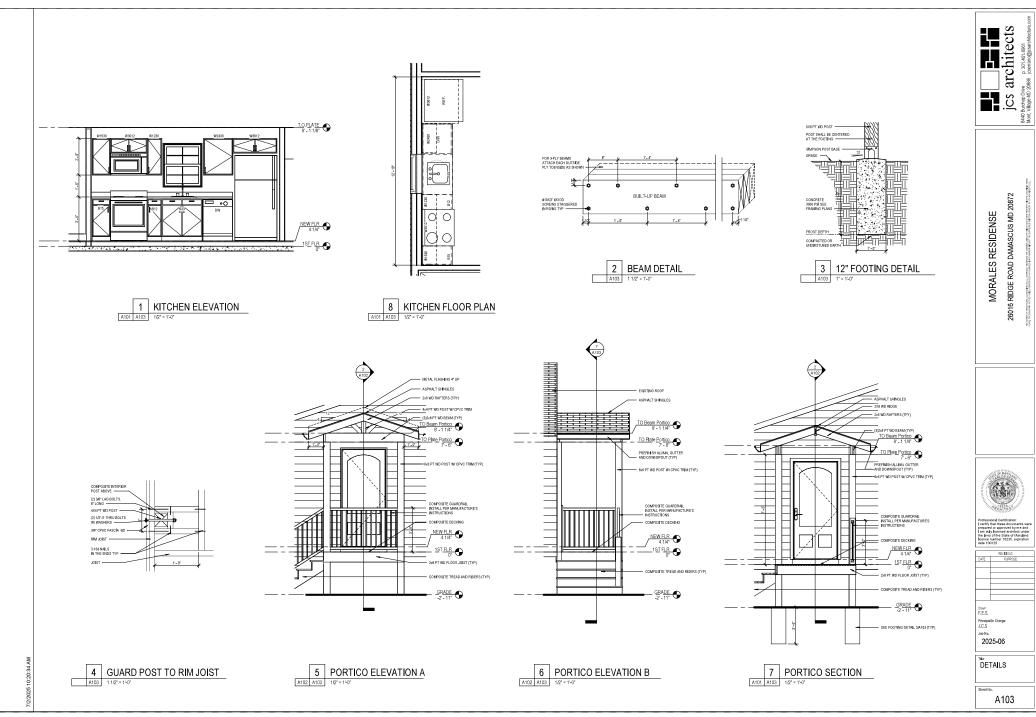
Athena Skoufias



Printed: 9/3/2025 1 inch = 250 feet







CASE NO. A-6944

PETITION OF IGNACIO ZAMORA AND LIZ CHAMORRO

EXHIBIT LIST

1.	Application
2.	List of adjoining/confronting property owners
3.	Statement of Justification
4.	(a)-(b) Site Plans
5.	(a) Sections and Elevations(b) Floor and Framing Plans(c) Details
6.	DPS Permit Denial
7.	Zoning Vicinity Map
8.	(a) Envelope showing date notice mailed(b) Notice of hearing scheduled for November 12, 2025
9.	(a) Envelope showing date notice mailed(b) Notice of new hearing date scheduled for December 17, 2025
10.	
11.	
12.	
13.	
14.	
15.	

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 - 12 Account Identifier - 00924404

Owner Information

Owner Name: ZAMORA IGNACIO MORALES Use: RESIDENTIAL

CHAMORRO LIZ GIOVANNA JIMENEZ Principal Residence: YES

Mailing Address: 26016 RIDGE RD Deed Reference: /61791/ 00335

DAMASCUS MD 20872

Location & Structure Information

Premises Address: 26016 RIDGE RD Legal Description: LOT IN DAMASCUS

DAMASCUS 20872-0000

Map: Grid: Parcel: Neighborhood:Subdivision:Section: Block: Lot: Assessment Year:Plat No:FX32 0000 P02712030001.1600012025Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use

938 1,680 SF 20,086 SF 111

StoriesBasementType ExteriorQualityFull/Half BathGarage Last Notice of Major Improvements

YES STANDARD UNITFRAME/3 1 full/ 1 half 1 Detached

Value Information

Base Value Value **Phase-in Assessments** As of As of 01/01/2025 07/01/2025 07/01/2026 178,200 187,000 Land: Improvements 134,600 168,000 312,800 355,000 326,867 340,933 Total:

Total. 312,000 333,000 320,007

Preferential Land: 0 0

Transfer Information

Seller: HAGERTY MICHAEL Date: 02/05/2021 Price: \$360,000 Type: ARMS LENGTH IMPROVED Deed1: /61791/ 00335 Deed2: Seller: HAGERTY MICHAEL & C Date: 10/17/2019 Price: \$0 Type: NON-ARMS LENGTH OTHER Deed1: /58328/ 00171 Deed2: Seller: DALE L BROWNING Date: 06/14/1995 Price: \$132,000 Type: ARMS LENGTH IMPROVED Deed1: /13450/ 00578 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

1 of 1

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date: