

**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-6950

PETITION OF ELBIN RIVERA HERNANDEZ

CORRECTED 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 21st 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 construction of a rear addition requires a variance of 7.90 feet as it is within 12.10 feet of the rear lot line. The required setback is twenty (20) feet, in accordance with Section 59.4.4.9.B.2 of the Zoning Ordinance. **In addition, the construction requires a variance of 0.40 feet as it is within 6.60 feet of the side lot line. The required setback is seven (7) feet, in accordance with Section 59.4.4.9.B.2 of the Zoning Ordinance.**

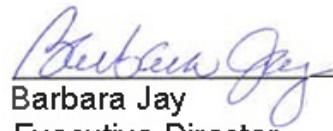
The subject property is Lot 1, Block 37, Wheaton Hills Subdivision, located at **2901 Dawson Avenue, Silver Spring, Maryland 20902** in the R-60 Zone. (Tax Number Account No. 13-01183997)

Notices forwarded this 13th day of January, 2026, to:

**Elbin Rivera Hernandez
Francoise Carrier**
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- 6950
Date Filed 11-10-25
Hearing Date 1-21-26
Time 9:30 a.m.

PETITION FOR VARIANCE UNDER ZONING ORDINANCE

(Please Note Instructions on Reverse Side)

(PLEASE PRINT)

Name of Petitioner(s): Elbin Rivera Hernandez

Address of Petitioner(s): 2901 Dawson Avenue City Silver Spring Zip 20902

Description of property involved: Lot 1 Block 37 Parcel Subdivision Wheaton Hills

Street and No. 2901 Dawson Avenue City Silver Spring Zip 20902 Zone Classification R-60

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) A rear lot line variance of 7.9 feet from the minimum 20-foot rear setback prescribed in Section 59.4.4.9.B.2.

(2) A 0.4-foot (4-inch) variance from the 7-foot minimum side setback applicable in the predecessor A Residence zone under the zoning code in effect when the lot was created in 1947.

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 an elongated corner lot with an existing house placed far back on the site and the rear and side lot lines at odd angles, leaving small, irregularly shaped rear and side yards.

How will the peculiar condition described above result in practical difficulty if the requested variance is not granted? Without the requested variances, the Applicant will not be able to complete a small sunroom addition to provide more adequate living space for his family. The addition would add 300 square feet of space to a house with only 990 square feet of above-ground living space.

Date of recording of plat of present subdivision: 1947; 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): Not to the knowledge of the Applicant.

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

Name of Attorney/Agent (Print Name next to Signature)
BBS&G Attorneys, 7315 Wisconsin Ave, Suite 800 West, Bethesda MD 20814

Address of Attorney

240-428-4671

fcarrier@bregmanlaw.com

Phone Number

Email Address

Elbin Rivera Hernandez

Signature of Petitioner(s) (Print Name next to Signature)
2901 Dawson Ave, Silver Spring, MD 20902

Address of Petitioner

240 543 59 95

Home Phone

Work Phone

dannagissel5@gmail.com

Email Address

Variance Application for 2901 Dawson Avenue, Silver Spring, Maryland

Applicant's Statement of Justification

November 10, 2025

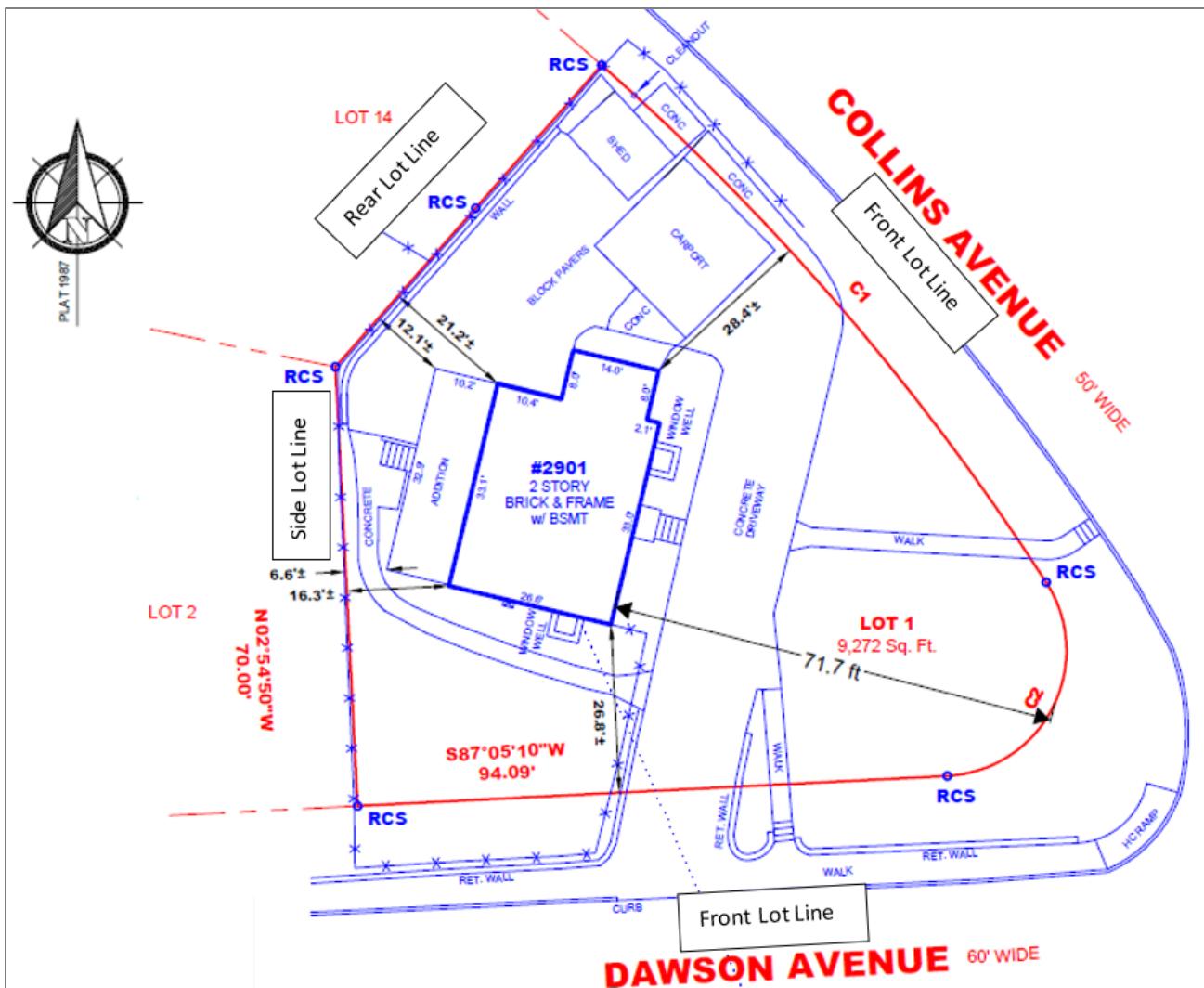
Introduction and Property Description

Petitioner Elbin Ribera Hernandez (the "Applicant") requests approval of two variances to permit a screened porch to be replaced with a sunroom at the rear of his home, located at 2901 Dawson Avenue, Silver Spring, Maryland, known as Lot 1, Block 37, Wheaton Hills Subdivision (the "Subject Property"), in the R-60 zone. The Applicant began construction of a modest sunroom addition without initially realizing that a building permit was required. Once notified of this requirement by county inspectors, he stopped construction and has since been working diligently with professionals to bring the project into compliance.

The Subject Property is a corner lot that narrows as it approaches the intersection of Dawson Avenue and Collins Avenue, as shown on the boundary survey excerpted on the next page. Perhaps due to the unusual shape of the lot, the house, built in 1949, was placed towards the rear of the lot, with a deep front setback of 71 feet to the farthest point on the lot. This created small, irregularly shaped rear and side yards that are further constrained because the property lines behind the house sit at odd angles to the house and the rest of the lot. DPS has determined that this lot has two fronts along Dawson and Collins Avenues, the lot line opposite Dawson Avenue is the rear lot line, and the lot line opposite Collins Avenue is a side lot line. *See* submitted building permit denials. The screened porch extended from the rear of the house slightly more than 10 feet and was 17 feet wide, as shown on page D.1.2 of the submitted architectural plans. The sunroom

is 10 feet deep and 33 feet wide, extending the full width of the house, as shown on page A1.1 of the architectural plans. Thus, the sunroom extends no farther back than the former screen porch, and is no wider than the rest of the house. Moreover, as seen below, the measurement points are the corners of the sunroom. Because the property lines sit at an angle to the house, the rear wall of the sunroom is farther away from the rear and side lot lines than the two corners. In fact, only inches away from the corner of the sunroom it satisfies the 7-foot side setback requirement.

Figure 1 – Excerpt from Submitted Boundary Survey¹



¹ The boundary survey has been informally amended by the project site designer, a licensed professional engineer, to indicate the depth of the front yard to the farthest point of the lot from the house. This measurement was not provided by the surveyor who prepared the boundary survey.

Variances Requested

As shown on the submitted certified Zoning Map, the Subject Property is zoned R-60. The Applicant requests a rear lot line variance of 7.9 feet and a side lot line variance of 0.4 feet (four inches). The table below lists applicable setback standards, setbacks of the original house and setbacks with the sunroom included.

Setbacks				
Setback type	Minimum Required under Zoning Code Sec. 59.4.4.9.B.2	Setbacks of Original Structure	Setbacks with Sunroom	Variance Needed
Front	25 ft.	71 ft.	71 ft.	-----
Rear	20 ft.	21.2 ft.	12.1	7.9 ft.
Side	7 ft. ²	16.3 ft.	6.6	0.4 ft.

Prior to the conversion of the screened porch, the residence contained 990 square feet of space on the ground floor and the same in the basement, for a total of 1,980 square feet. The sunroom added 330 square feet to the ground floor, which is a meaningful increase in the amount of living space available for the Applicant and his family. From the outside, however, the sunroom merely extended to the full width of the house the screen porch that already occupied part of the small space between the house and the rear/side fence. The sunroom is the same depth as the former screened porch, but because it extends the full width of the house, its corners are closer to the rear and side lot lines than the screened porch was, necessitating the requested variances.

The sunroom will not have any significant adverse impact on the two abutting neighbors, both of whom have stated their support for this application in writing. Owners of the four properties identified on the zoning map excerpt that follows, 2902 and 2905 Collins Avenue and 2902 and 2903 Dawson Avenue, have all written in support of the requested variances.

² The Petitioner's lot was created in 1947 (see plat No. 1987) on property in the A Residence zone, which had a seven-foot side setback requirement. Per Zoning Code Section 59.7.7.1.D.2.c, a detached house on a platted lot that has not changed in size or shape since June 1, 1958, may utilize the side yard setback required by the zoning in effect when the lot was created.

Figure 2 - Zoning Map Excerpt



Photographs of Subject Property and Surrounding Neighborhood



Hernandez Residence Seen from Intersection



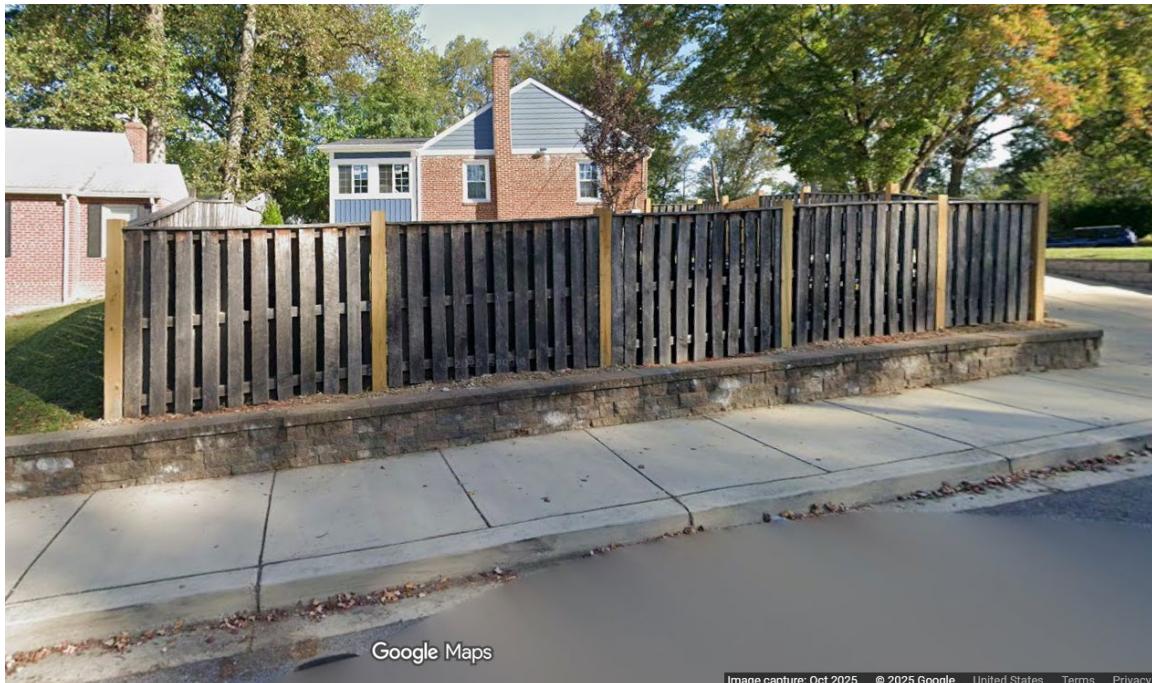
Former Screened Porch



Sunroom Addition



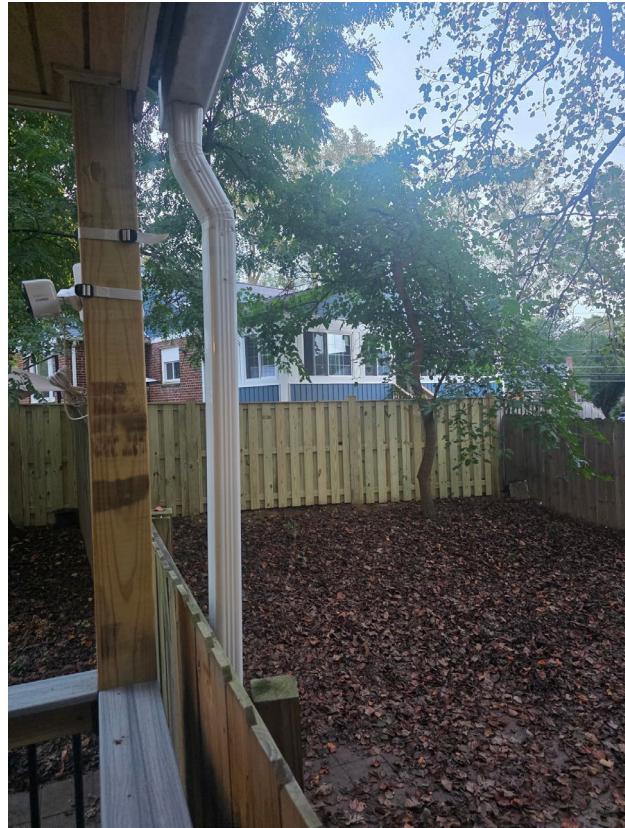
Rear Yard with Sunroom behind Brown Umbrella



Hernandez Residence Seen from Dawson Avenue near Intersection; Sunroom on Left



Hernandez Residence as Seen from 2903 Dawson Avenue



Hernandez Residence as Seen from 2902 Collins Avenue Backyard

Variance Findings under Zoning Code Section 7.3.2.E

The findings required to grant the requested variance are set forth below in *italics*, followed by an analysis of the basis for each finding in the present case.

Granting the variance may only authorize a use of land allowed by the underlying zone.

The sunroom will be part of the main house, which is a permitted use in the zone.

To approve a variance, the Board of Appeals must find that:

1. *denying the variance would result in no reasonable use of the property; or*
2. *each of the following apply:*
 - a. *one or more of the following unusual or extraordinary situations or conditions exist:*
 - i. *exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary conditions peculiar to a specific property;*

The use of the Subject Property is limited by its shape and the location of the house far back on the site. As noted above, the Subject Property is a corner lot that comes to an elongated point at the intersection of two roads. As shown on Figure 1, are technically measured from the front corner of the house to the closest points along the two abutting roads, but the house sits 71 feet back from the farthest point along the front of the lot, creating a much larger front yard than most houses in the neighborhood. The location of the house on the site also created small, irregularly shaped rear and side yards that are further constrained because the property lines behind the house sit at odd angles to the house and the rest of the lot. Not counting the screened porch, the rear corners of the house are only 16.3 feet from the side lot line and 21.2 feet from the rear lot line, leaving a very small space behind the house.

As a result of these exceptional shape and house placement factors, most of the lot is considered front yard, and there is no location on the lot where an addition could be built

without violating a setback standard. An addition along the Dawson Avenue side of the house would violate the minimum 25-foot setback and would leave at least one and likely two existing bedrooms without a window, making them no longer legal bedrooms. An addition on the Collins Avenue side of the house would also violate the minimum front setback, and would require removal or reconfiguration of a patio that forms the main outdoor recreation area.

- ii. the proposed development uses an existing legal nonconforming property or structure;*
- iii. the proposed development contains environmentally sensitive features or buffers;*
- iv. the proposed development contains a historically significant property or structure; or*
- v. the proposed development substantially conforms with the established historic or traditional development pattern of a street or neighborhood;*

- b. the special circumstances or conditions are not the result of actions by the applicant;*

The special conditions caused by the Subject Property's irregular shape and the location where the existing house was built in 1949 were not the result of any action taken by the Applicant, who acquired the Subject Property in 2018.

- 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;*

As described above, even a small addition could not be built on this site in strict adherence to the Montgomery County Zoning Code (the "Zoning Code"). The variances requested are the minimum necessary to allow the small sunroom addition to increase the Hernandez family's limited living space.

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

The variance will support the goals of the general plan and the 1989 Master Plan for the Communities of Kensington-Wheaton, both of which recommend continuing the existing character and zoning of the existing residential uses.

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

The requested variance will not be adverse to the use and enjoyment of abutting or confronting properties, as demonstrated by written support submitted by the owners of the only two properties that abut the Subject Property and by two of the closest confronting homes (see Fig. 2):

2902 Collins Avenue
2905 Collins Avenue
2902 Dawson Avenue
2903 Dawson Avenue

These neighbors consider the Applicant's small addition to be normal and appropriate. The owners of the two abutting properties, 2902 Collins Avenue and 2903 Dawson Avenue, are so supportive of the requested variances that they allowed the Applicant to come onto their properties to take a photos to illustrate their views towards the Subject Property.

The Applicant requests a variance of less than one foot from the minimum 7-foot side setback along the Subject Property's southwestern boundary; this distance is so small that the difference is not even noticeable. Along the Subject Property's northwestern boundary, the Applicant requests a variance of nearly eight feet from the 20-foot minimum rear setback, which may be enough to make a visible difference. However, only a few feet of the addition actually sits opposite that boundary line; most of the addition sits closer to the southwestern boundary. Moreover, although DPS considers the Subject Property's northwestern boundary line to be the rear property line, for the abutting neighbor it

is a side property line, where a setback as small as seven feet would normally be acceptable.

Conclusion

The requested variances are necessitated by the extraordinary conditions of an irregular lot shape and the location of the existing house far back on the site. These conditions are peculiar to the Subject Property and were not caused by the Applicant. Moreover, if the requested variances are granted, the sunroom addition will support the goals of the General Plan and the applicable Master Plan, and will not be detrimental to the use and enjoyment of abutting or confronting properties. For all these reasons, the Applicant respectfully ask that the Board of Appeals grant the requested variances.

Witnesses

Elbin Rivera Hernandez will testify, as the Applicant, about his family's need for additional living space and the practical difficulties that give rise to this variance request.

Ted Jeong, Principal, Jeong Consulting & Design, LLC and a professional engineer and land developer, will testify regarding the characteristics of the Subject Property and the surrounding neighborhood, the need for the requested variances, and the expected impact on the Subject Property and the surrounding neighborhood. Mr. Jeong's resume has been submitted as part of the application package.

The Applicant reserves the right to call other witnesses and/or introduce additional exhibits at the hearing as deemed necessary to support this petition.

Sincerely yours,

BREGMAN, BERBERT, SCHWARTZ & GILDAY, LLC

By:



Françoise M. Carrier



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: Elbin Rivera Hernandez

ADDRESS: 2901 DAWSON AVE
SILVER SPRING, MD 20902

LOT - BLOCK: 1 - 37 ZONE:R-60

THE VARIANCE REQUEST IS FOR

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

TYPE OF CONSTRUCTION:

<input checked="" 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 requires a 0.40 ft. variance as it is within 6.60 ft. of the side lot line.

The required setback is 7.00 ft. in accordance with Section 59-4.4.9.B.2.

The required sum of both side yards is 0.00 ft. in accordance with Section 59-.

The proposed construction reduces the sum of both sides to 0.00 ft., creating a violation of 0.00 ft.

The proposed construction requires a variance from the Exemption from Controls, Section 59-B as follows:

N/A

The proposed construction addition constructed without a permit

Delvin Daniels

9/2/2025

Signature

Date



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbaghan
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.

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<input type="checkbox"/> N	NON-CONFORMING	<input checked="" type="checkbox"/> Y	NON-COMPLYING
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<input type="checkbox"/> N	SHED	<input checked="" type="checkbox"/> N	FENCE/RETAINING WALL
<input type="checkbox"/> N	ACCESSORY STRUCTURE	<input checked="" type="checkbox"/> N	GARAGE/CARPORT
<input type="checkbox"/> N	OTHER		

The proposed construction requires a 7.90 ft. variance as it is within 12.10 ft. of the rear lot line.

The required setback is 20.00 ft. in accordance with Section 59-4.4.9.B.2.

The required sum of both side yards is 0.00 ft. in accordance with Section 59-.

The proposed construction reduces the sum of both sides to 0.00 ft., creating a violation of 0.00 ft.

The proposed construction requires a variance from the Exemption from Controls, Section 59-B as follows:

N/A

The proposed construction rear addition constructed without a permit

Delvin Daniels

9/2/2025

Signature

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.



MONTGOMERY COUNTY ZONING MAP

The Maryland-National Capital Park and Planning Commission

Montgomery County Planning Department

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 reproduced in whole or in part without the express written
 permission of the Maryland-National Capital Park and Planning
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 this map should be addressed to the Maryland-National Capital
 Park and Planning Commission, 400 North Capitol Street, Suite
 1400, Washington, DC 20001-3724, or to the Montgomery
 County Planning Department.

0 250 500 750 1,000 1,250 Feet

Printed: 11/7/2025

1 inch = 250 feet

Account #	01183997
Address	2991 DAWSON AVE SILVER SPRING, 20902
Landuse	Single Family Detached
Legal Description	WHEATON HILLS
Zone	R-60
Overlay Zone	N/A
TDR Overlay Zone	N/A
Parking District	N/A
CBD	N/A
Parcel, Lot, Block	N/A, 1, 37

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	N/A
Master Plan	MASTER PLAN FOR KENSINGTON WHEATON
Historic Site/District	N/A

WSSC Grid	215NW03
Map Amendments	G-642 G-956
Water/Sewer Categories	W-1 / S-1

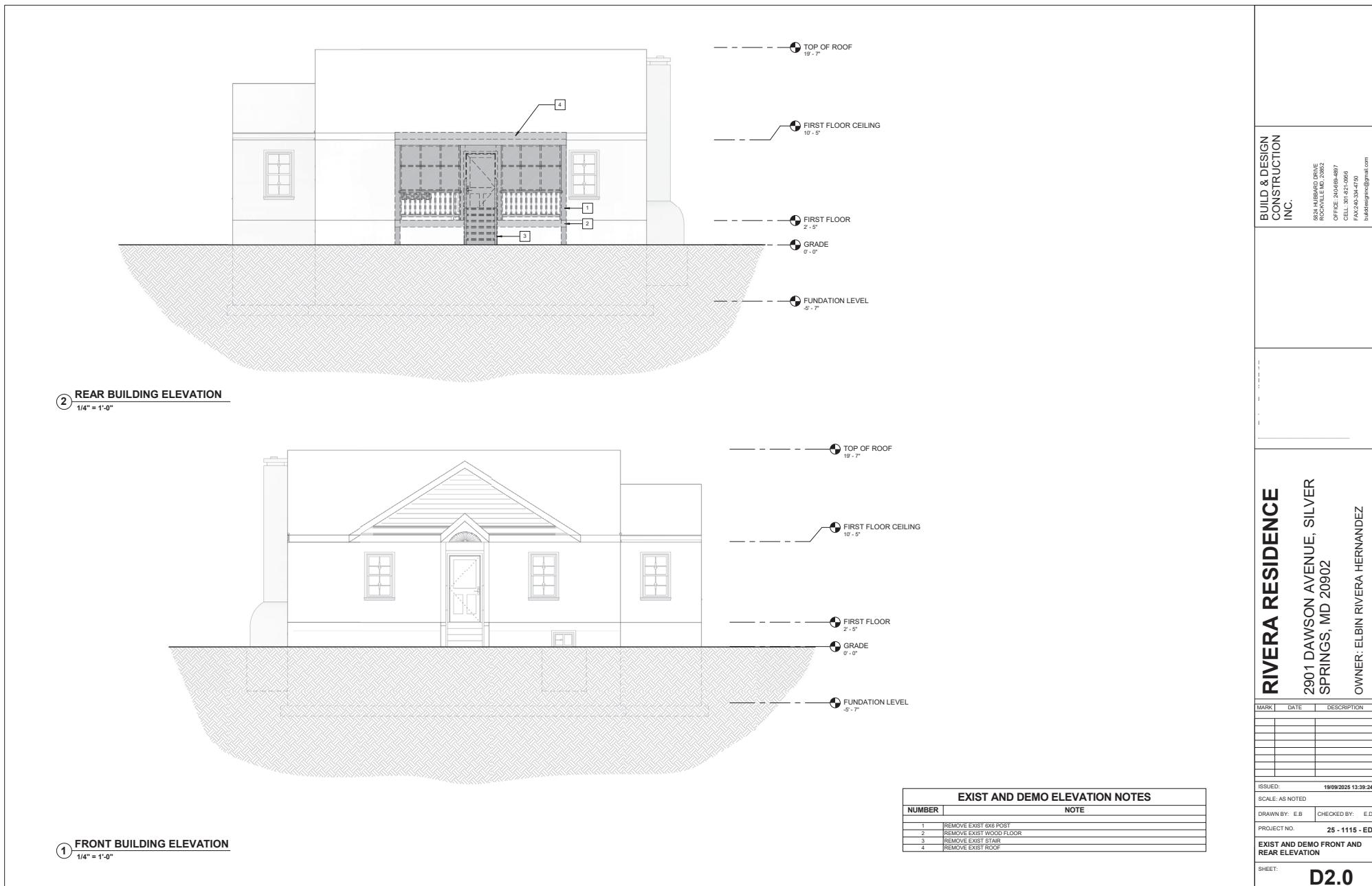
I certify that this document is a copy of the official
 Montgomery County Zoning Maps as downloaded
 on 11/7/2025 from MCATLAS.ORG/ZONING.

Signed

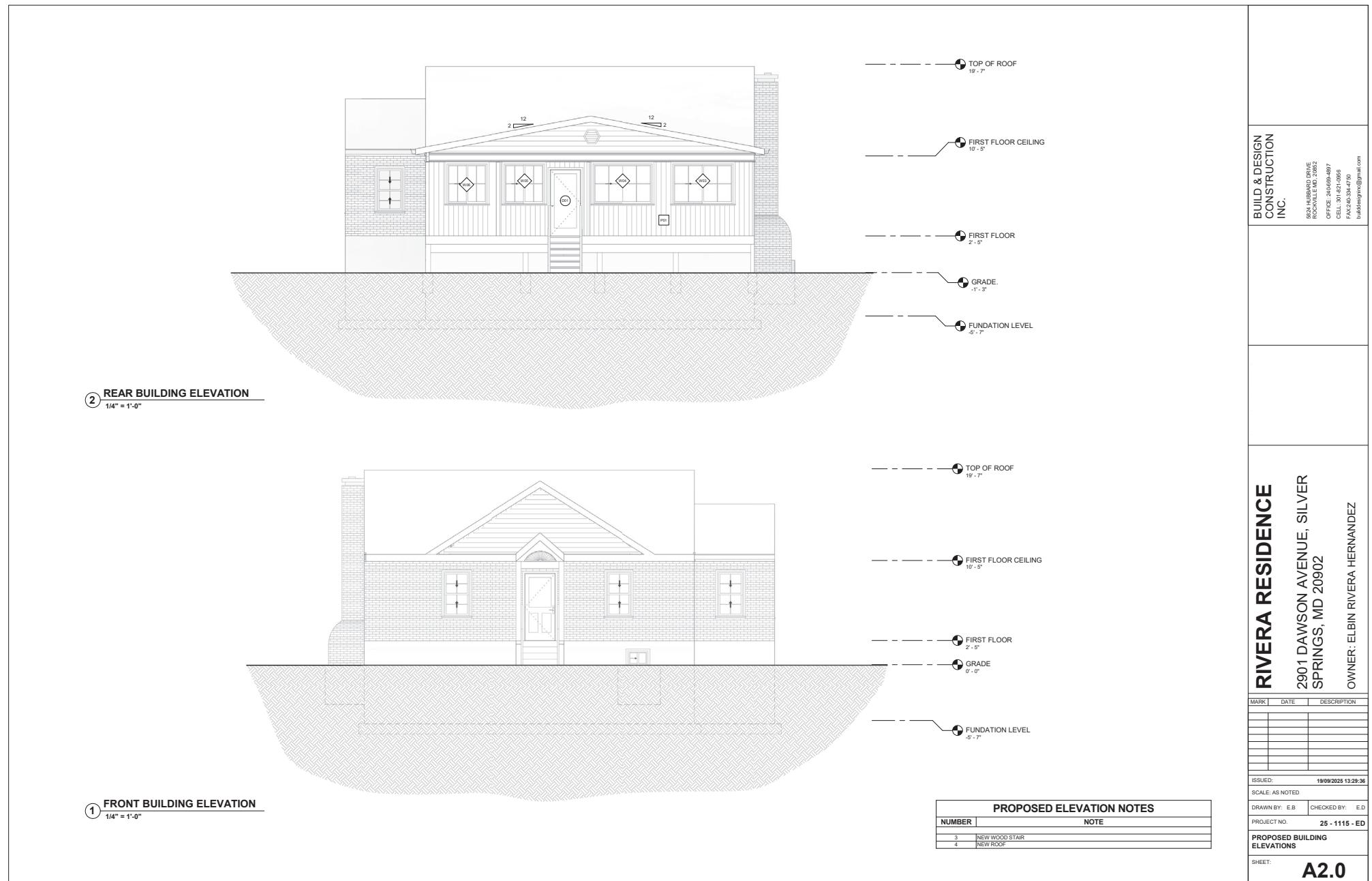
Athena Skourfias



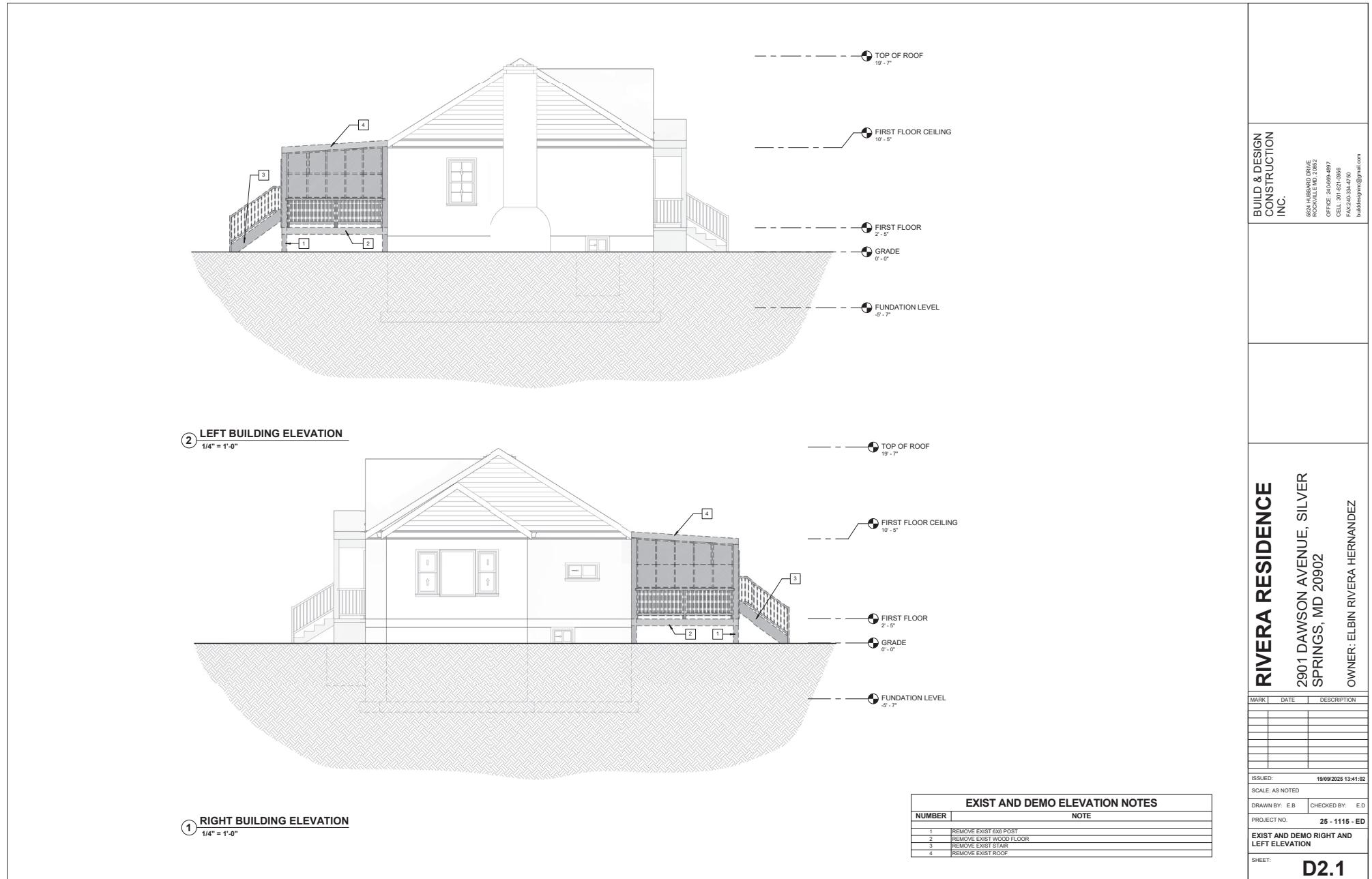
Existing Rear & Front Elevations



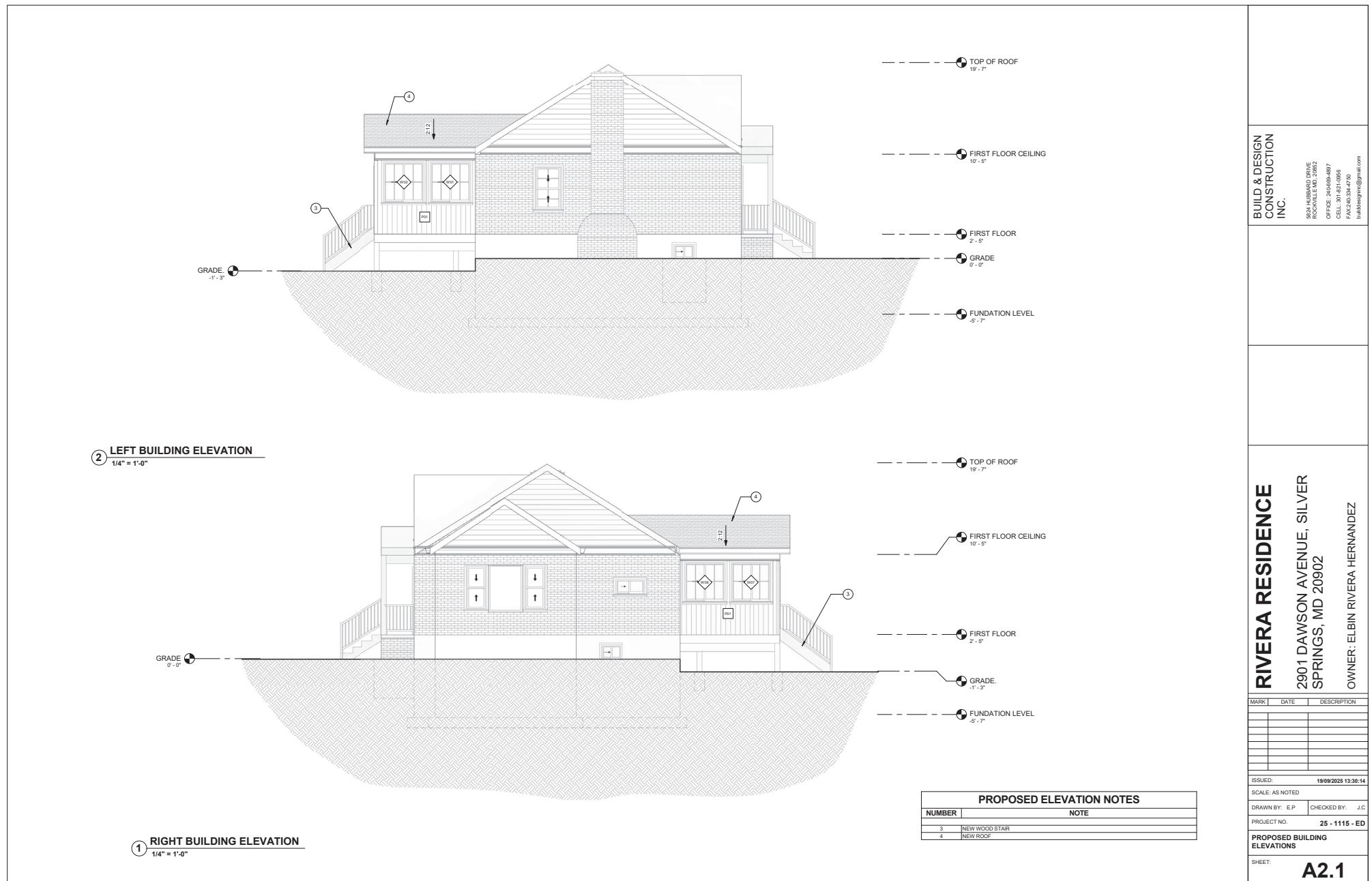
Proposed Rear & Front Elevations



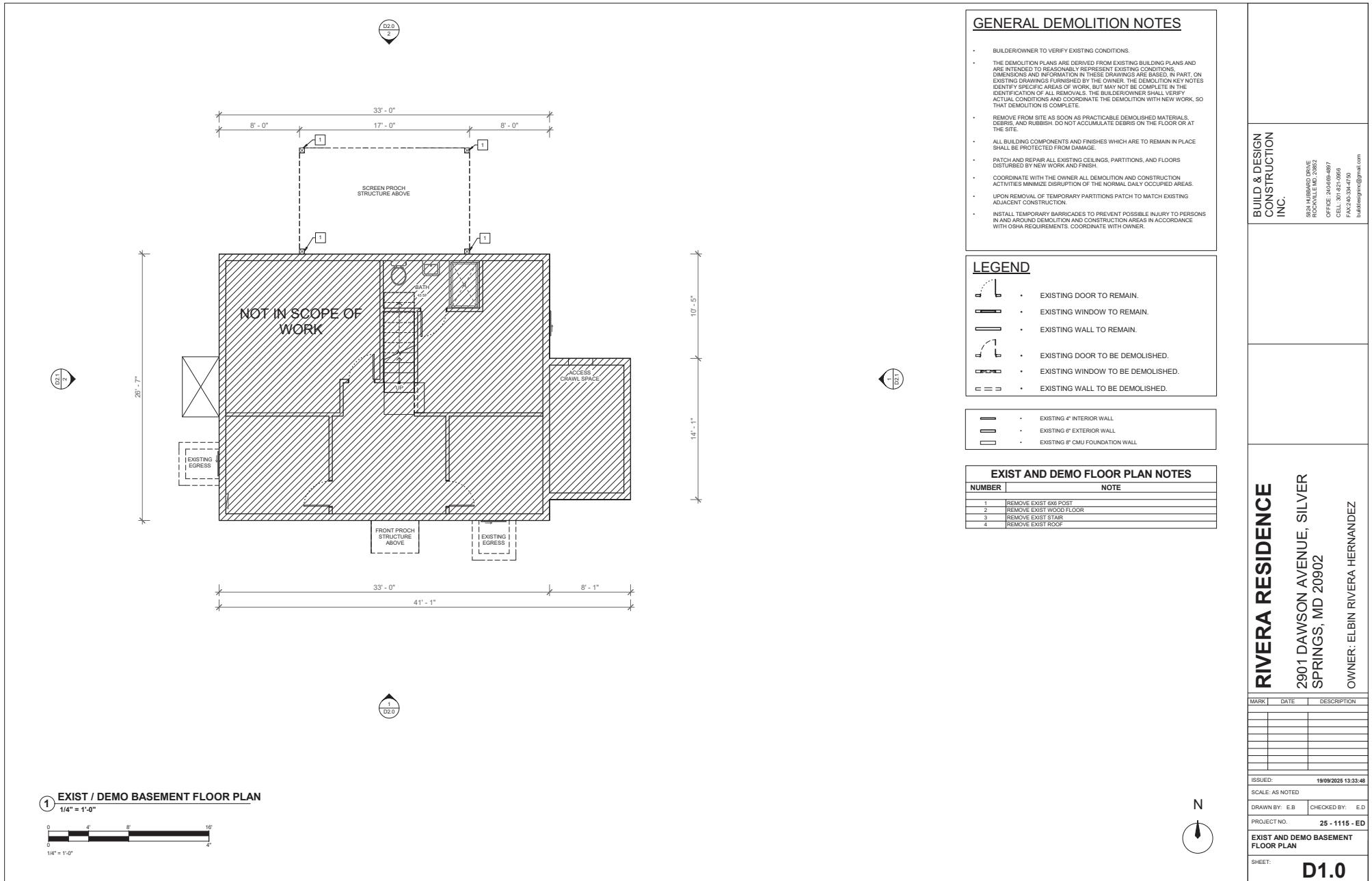
Existing Left & Right Elevations



Proposed Left & Right Side Elevations



Existing & Demo Basement Floor Plan



Proposed Basement Floor Plan

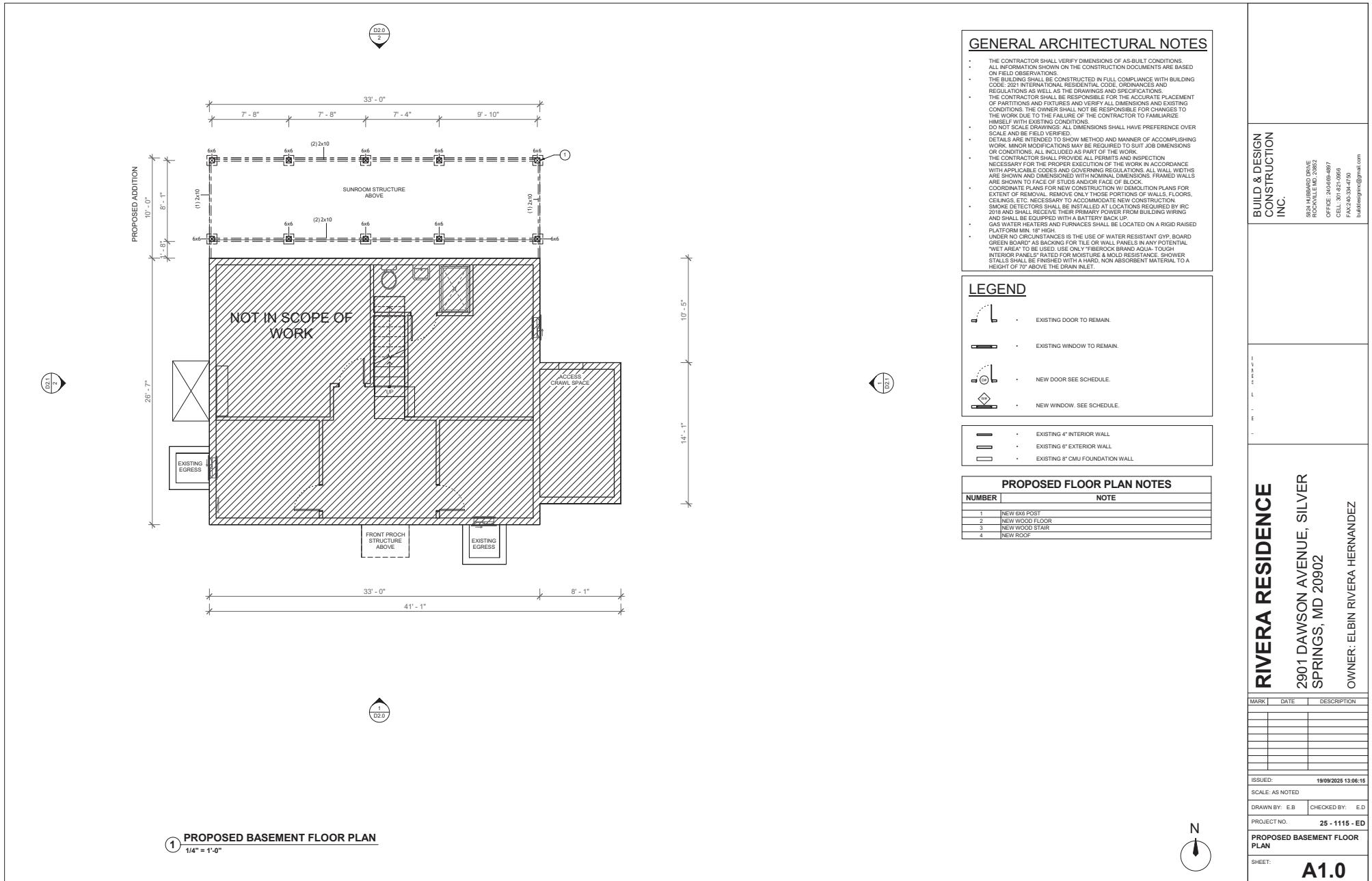
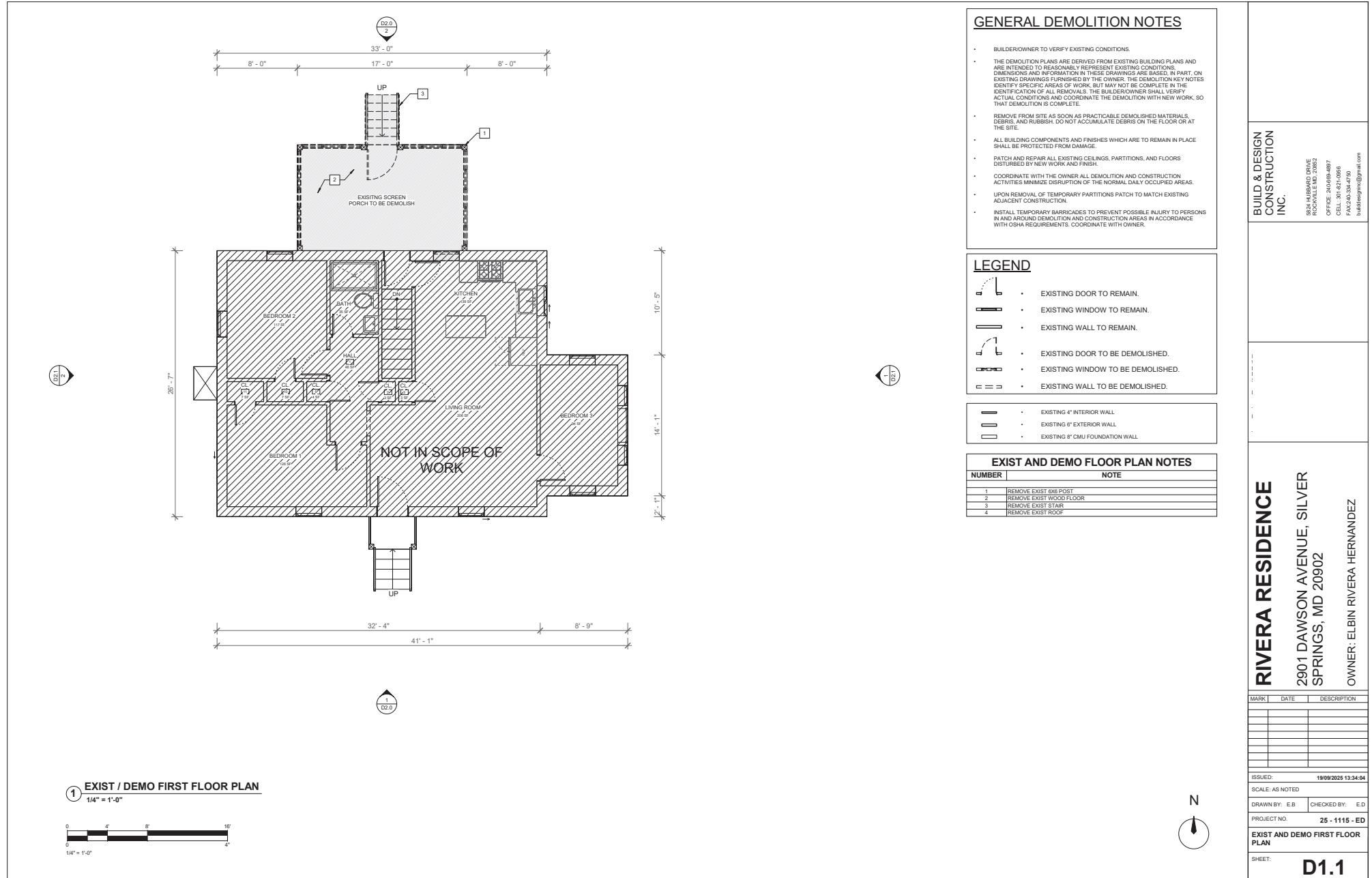
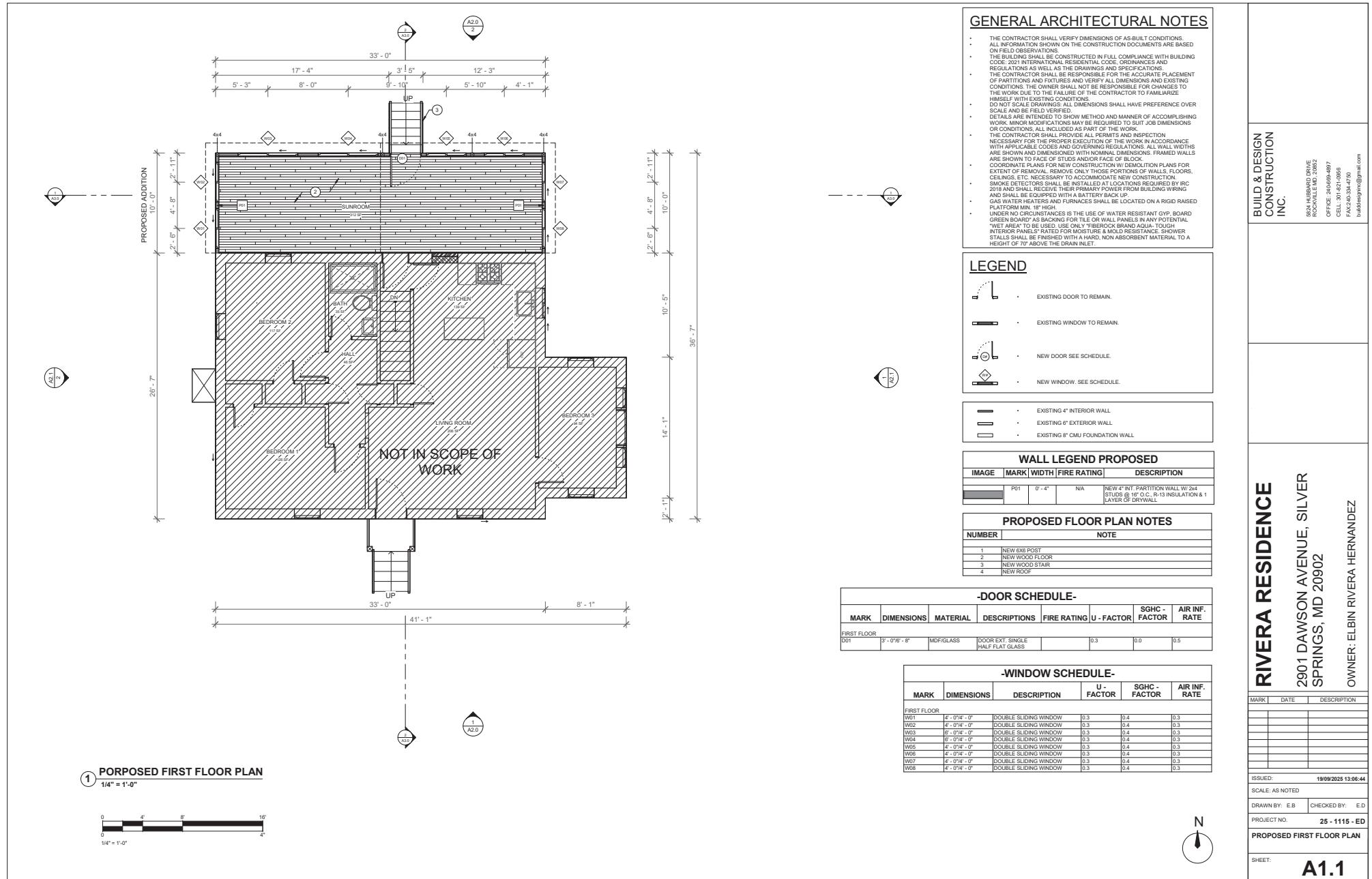


Exhibit 5(f)

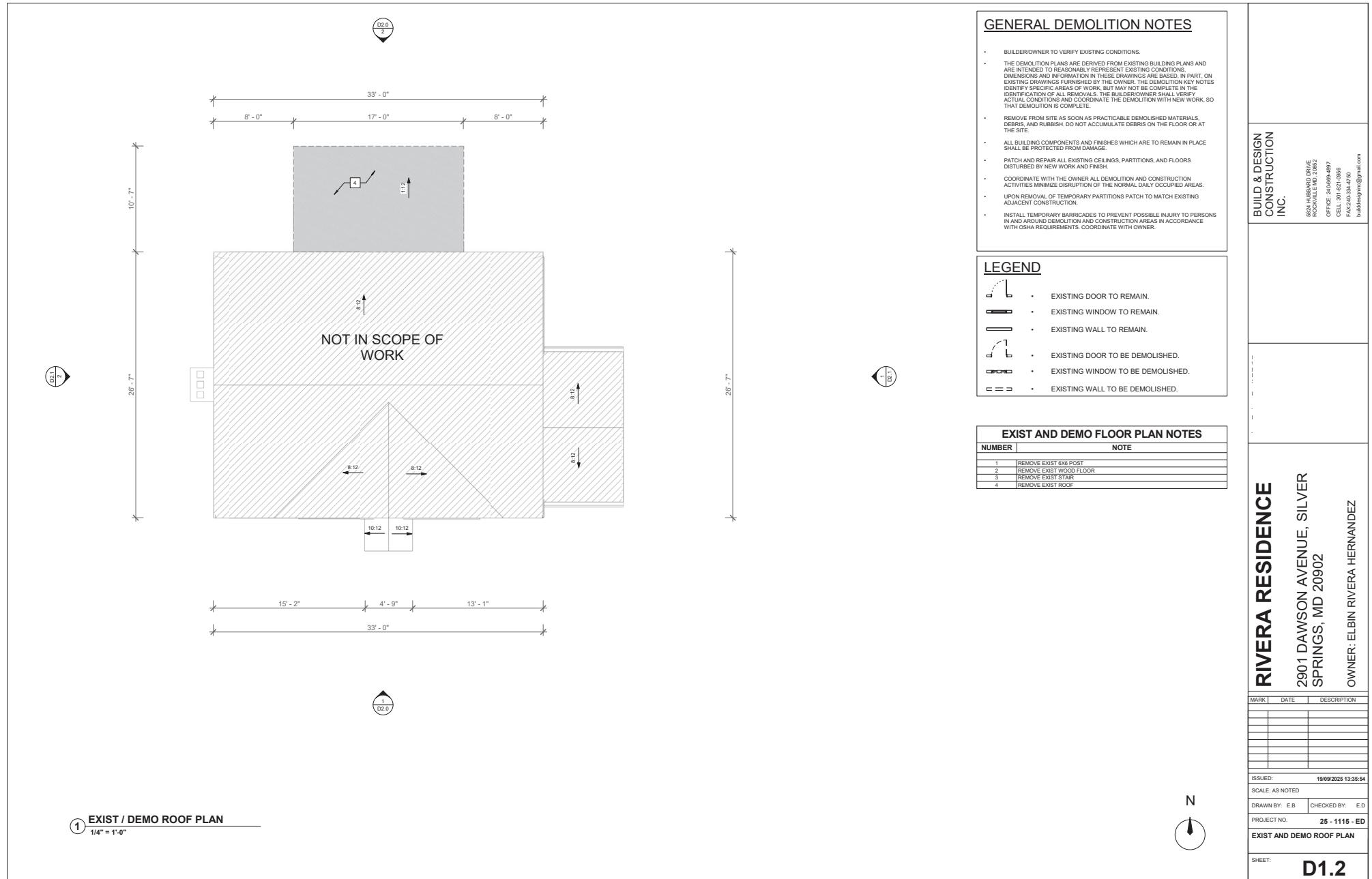
Existing & Demo First Floor Plan



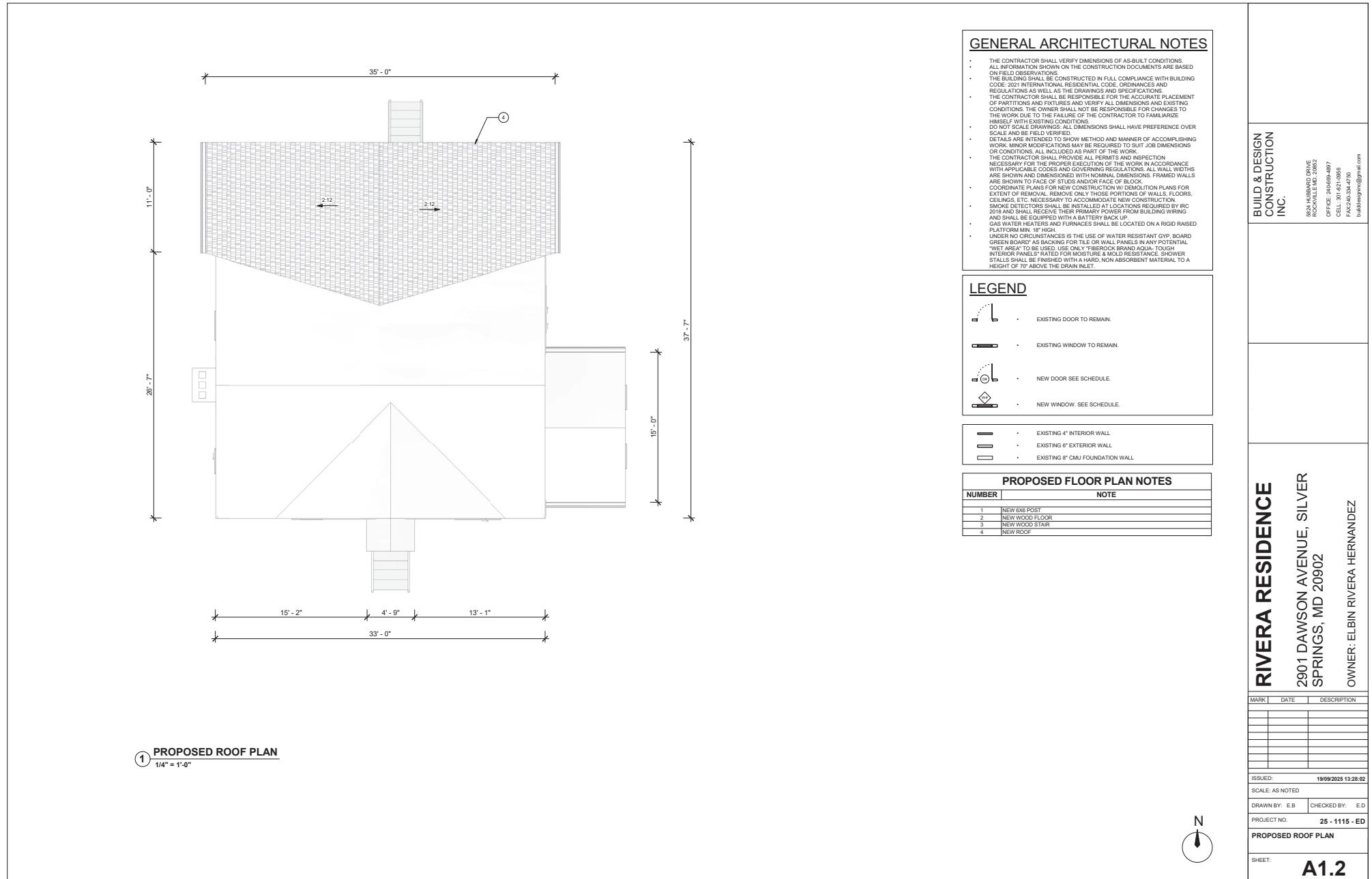
Proposed First Floor Plan



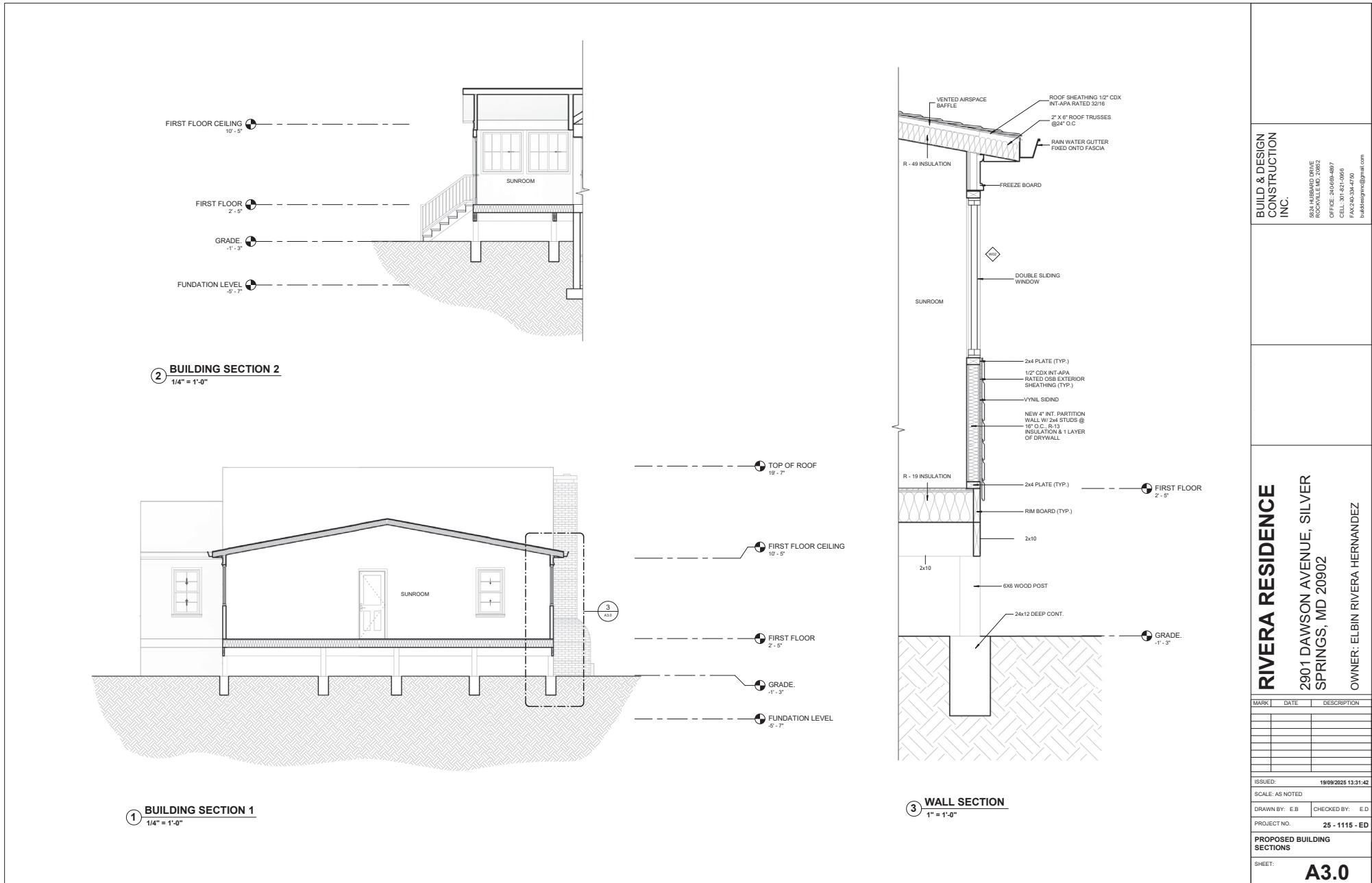
Existing & Demo Roof Plan



Proposed Roof Plan



Proposed Building Sections



September 16, 2025

Montgomery County Board of Appeals
100 Maryland Ave
Rockville, MD 20850

Re: 2901 Dawson Ave Variance Request

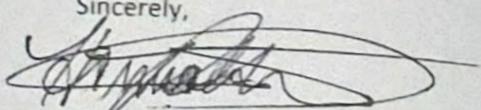
To Whom It May Concern:

We live at 2902 Collins Ave, next door to 2901 Dawson Ave, in lot 14 block 37 of Wheaton Hills. Mr. Elbin Rivera Hernandez owns the property that abuts our side yard at 2901 Dawson Ave, on the corner of Dawson Ave and Collins Ave. We are writing in regards to the variance request for the rear/side yard setback to accommodate his home addition.

Homes in this neighborhood are on small lots and are set far back from the street, affording all of us very small back yards. Mr. Rivera Hernandez has the additional complication of owning a corner lot with the house facing the corner, meaning his back yard is an unusual shape without much room between the corner of his house and the side yard property line he shares with us.

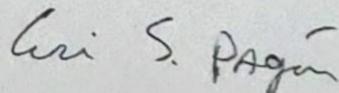
While we have not seen any plans for construction and are not aware of further planned construction, the addition as it stands today appears to take up the same space as the back porch that Mr. Rivera Hernandez had previously. The addition does not affect our use of our own property and is not out of character for the neighborhood. We have no objections to the addition as it stands today and support his request for a variance for the addition.

Sincerely,



Hannah Pagán & Eric Pagán

Homeowners, 2902 Collins Ave, Silver Spring, MD 20902
hannahanderic09012019@gmail.com



September 3, 2025

Montgomery County Board of Appeals
100 Maryland Avenue
Rockville, MD 20850

Re: Support for Variance Request – 2901 Dawson Avenue, Silver Spring, MD

Dear Members of the Board:

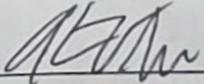
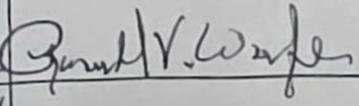
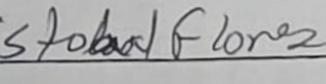
We, the undersigned property owners and neighbors of 2901 Dawson Avenue, write in support of the variance request submitted by Mr. Elbin Rivera Hernandez for a rear/side yard setback to accommodate his home addition.

As immediate neighbors, we are most directly affected by this project. After reviewing the plans and understanding the proposed addition, we confirm that:

1. The addition will not interfere with our property use or enjoyment.
2. It is consistent with the character of the neighborhood and other nearby homes.
3. We believe it will improve the property and contribute positively to the community.

We respectfully request that the Board grant approval of this variance.

Sincerely,

Name(s):	Property Address	Signature(s)
Keith Ober	2903 Dawson Ave Silver Spring, MD 20902	
Ronald Warfle	2905 COLLINS AVE Silver Spring MD 20902	
Cristobal Flores	2902 DAWSON AVE Silver Spring MD 20902	

TED S. JEONG, P.E., M.ASCE

108-F N. Reading Rd, Suite 200
Ephrata, PA 17522

JeongConsulting@Outlook.Com

Mobile: (202)-499-0765

CAREER HIGHLIGHTS

Jeong Consulting & Design, LLC.

Principal

- www.JeongConsulting.design

One-stop-shop for civil engineering services and land development strategy

Ephrata, PA

May 2025-Present

Colliers Engineering & Design, Inc.

Columbia, MD

October 2022-May 2025

Department Manager

- Department Manager of Columbia Maryland office planting of Colliers Engineering & Design, Inc., wholly owned by Colliers International Group
- Project Industries: Data Centers, Industrial, Commercial, Self-Storage, Education, Retail, Residential, Federal, and Local Parks
- Notable Clients: Amazon Web Services, Costco, Sheetz, PEPCO, National Security Agency, and District of Columbia Department of General Services
- Organizer, Creator, Leader, and Mentor of Entitlement Planning, Site Development Engineering, and Permit Expediting Teams; naturally assumes leadership roles and responsibilities in meetings with Clients, Land-Use Attorneys, Architects, and various Stakeholders (Authority Having Jurisdictions, Lenders, Real Estate Brokers, Surveyors, Traffic, Mechanical, Electrical, Plumbing, Geotechnical, Structural, Environmental Engineers, General Contractors)
- Lead Business Development Manager and Contract Overseer
- A/R, Proposals, Change Orders/Extra Work Authorizations, Pre-Bills, Billing, Profit- and Results-oriented
- Technical Design & Permitting: Entitlement, Zoning, Site Layout, Preliminary Plans of Subdivision, Site Plans, Special Exceptions/Departures/Non-Conforming Uses, Easements, Setbacks, Buffers, Parking Counts, Occupancies, Deeds, Plats, Road Grade Establishment, Rights-of-Way, Pavement Section, Rough Grading, Fine Grading, Street Tree, Street Light, Landscaping and Vegetation, Wet Utilities (Storm, Water, Sewer), Dry Utilities (Gas, Electric, Telecommunications), Stormwater Management ESD-100yr Control, Floodplain, Erosion & Sediment Control, Earthwork Quantities, Capital Improvements, Stream Restoration
- Accomplishments
 - Created business development workflow & template to match Clients with available land opportunities, resulting in increased project opportunities for Company
 - Created & oversees workflows, templates, and standards for Proposals, Due Diligence Reports, Cost Estimates, Email and Network File Organization, and AutoCAD Drafting Environment to address inherited operational inefficiencies, resulting in increased production capacity and growth opportunities for staff
 - Led and oversees staffing and recruiting efforts, resulting in 70% of staff recruited without turnover

Land Development Enterprises, LLC

Silver Spring, MD

October 2022-December 2024

Principal

- Notable clients included International Monetary Fund, District of Columbia Department of General Services, and various infill developers in Montgomery, Prince George's, and Baltimore Counties

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CAREER HIGHLIGHTS (continued)

Prince George's County, Maryland

Engineer III

- Senior Engineer and Plan Reviewer for Prince George's County Department of Permitting, Inspections, and Enforcement (PG-DPIE)
- Managed Site/Road Division's Building Permit and Infill Lot Permit plan review programs for County's North, Central, and South Districts
- Managed performance of and delegated tasks to Senior Engineers, Engineering Technicians, Contract Employees, and Summer Youth Interns
- Closely supported District-level, Chief-level, and Associate Director-level staff
- Excelled in grooming County relationships with private industry consultants, developers, and stakeholders
- Technical Review & Permitting: Site Development & SWM Concept, Road Grade Establishment, Fine Grading, Rough Grading, Dam Safety, SWM Pond, Driveway, Entitlement Development Plan Review with the Maryland-National Capital Park and Planning Commission (M-NCPPC)

VIKA Maryland, LLC

Project Manager

Germantown, MD

October 2018-June 2020

Wiles Mensch (dba Maddox Engineers and Surveyors, Inc.)

Project Engineer

Rockville, MD

February 2016-September 2018

Stantec Consulting Services, Inc.

Design Engineer

Germantown, MD

June 2015-January 2016

Shook Construction Co.

Construction Operations and Engineering Co-Op

Brecksville, OH

August-December 2014

Construction Resources, Inc.

Construction Contract Administration Intern

Solon, OH

April-July 2014

Technical Assurance, Inc.

Geographic Information Systems Intern

Willoughby, OH

April-July 2013

EDUCATION

Case Western Reserve University (CWRU)

Bachelor of Science in Civil Engineering

Cleveland, OH

August 2010-May 2015

LICENSES, MEMBERSHIPS, AND PROFICIENCIES

Professional Engineer (PE), MD License No. 60582, DC License No. PE921506

Engineer-In-Training (Civil), DC Certificate No. EIT 908519

MD Certification of Responsible Personnel in Erosion & Sediment Control, No. RPC011268

American Society of Civil Engineers (ASCE), M.ASCE No. 12461545

American Institute of Certified Planners (AICP) Candidate, APA No. 416482 (In Progress)

Languages: English (Advanced), Korean (Basic)

**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-6950

PETITION OF ELBIN RIVERA HERNANDEZ

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 21st 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 construction of a rear addition requires a variance of 7.90 feet as it is within 12.10 feet of the rear lot line. The required setback is twenty (20) feet, in accordance with Section 59.4.4.9.B.2 of the Zoning Ordinance.

The subject property is Lot 1, Block 37, Wheaton Hills Subdivision, located at 2901 Dawson Avenue, Silver Spring, Maryland 20902 in the R-60 Zone. (Tax Number Account No. 13-01183997)

Notices forwarded this 19th day of December, 2025, to:

**Elbin Rivera Hernandez
Francoise Carrier
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.

CASE NO. A-6950

PETITION OF ELBIN RIVERA HERNANDEZ
EXHIBIT LIST

1. Application
2. List of adjoining/confronting property owners
3. Statement of Justification
4. Site Plan
5. (a) Existing and Demo Front and Rear Elevations
(b) Proposed Front and Rear Elevations
(c) Existing and Demo Right and Left Elevations
(d) Proposed Right and Left Elevations
(e) Existing and Demo Basement Floor Plan
(f) Proposed Basement Floor Plan
(g) Existing and Demo First Floor Plan
(h) Proposed First Floor Plan
(i) Existing and Demo Roof Plan
(j) Proposed Roof Plan
(k) Proposed Building Sections
(l) Cover Sheet
6. (a)-(b) DPS Building Permit Denials
7. (a)-(b) Letters of Support
8. Resume from Ted S. Jeong, P.E., M.ASCE
9. Zoning Vicinity Map
10. (a) Envelope showing date notice mailed
(b) Notice of hearing scheduled for January 21, 2026
11. (a) Envelope showing date notice mailed
(b) Corrected Notice of hearing scheduled for January 21, 2026
12. _____
13. _____
14. _____

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 - 01183997

Owner Information

Owner Name:	HERNANDEZ ELBIN RENE RIVERA	Use:	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	2901 DAWSON AVE SILVER SPRING MD 20902-2651	Deed Reference:	/55877/ 00259

Location & Structure Information

Premises Address:	2901 DAWSON AVE SILVER SPRING 20902-2651	Legal Description:	WHEATON HILLS
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Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 1987
HQ61 0000 0000 13260054.16 0054 37 1 2026 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1949	966 SF	640 SF	9,272 SF
			111

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	YES	STANDARD UNIT	BRICK/ 4	2 full			

Value Information

	Base Value	Value	Phase-in Assessments		
		As of 01/01/2026	As of 07/01/2025	As of 07/01/2026	
Land:	182,900	182,900			
Improvements	243,300	308,500			
Total:	426,200	491,400	426,200		447,933
Preferential Land:	0	0			

Transfer Information

Seller: MEJIA EUSEBIO	Date: 04/11/2018	Price: \$367,000
Type: ARMS LENGTH IMPROVED	Deed1: /55877/ 00259	Deed2:
Seller: RICCI, CARL F&L C	Date: 04/02/2004	Price: \$279,000
Type: ARMS LENGTH IMPROVED	Deed1: /27043/ 00454	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: No Application

Homeowners' Tax Credit Application Information

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