

**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 13<sup>th</sup> 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

Elbin Rivera Hernandez

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

Signature of Petitioner(s) (Print Name next to Signature)

BBS&G Attorneys, 7315 Wisconsin Ave, Suite 800 West, Bethesda MD 20814

2901 Dawson Ave, Silver Spring, MD 20902

Address of Attorney

Address of Petitioner

240-428-4671

fcarrier@bregmanlaw.com

240 543 59 95

dannagissel5@gmail.com

Phone Number

Email Address

Home Phone

Work Phone

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





## 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. <sup>2</sup>	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.

---

<sup>2</sup> 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*





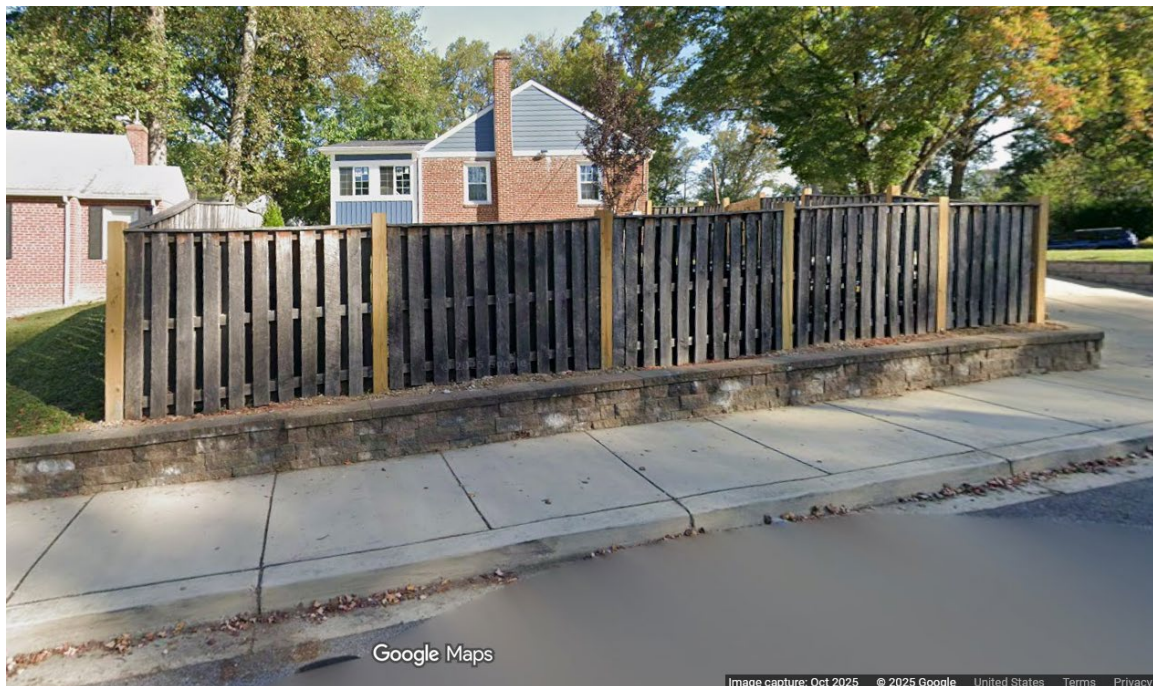
*Former Screened Porch*



*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.

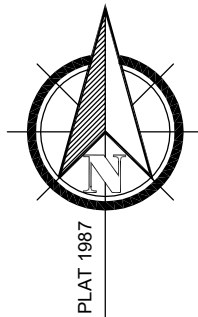
Sincerely yours,

BREGMAN, BERBERT, SCHWARTZ & GILDAY, LLC

By:  \_\_\_\_\_  
Françoise M. Carrier



CURVE TABLE			
CURVE	RADIUS	ARC	CHORD
C1	400.00'	108.93	S40°42'58"E 108.59'
C2	20.00'	41.89	S27°05'09"W 34.64'



LEGEND:

RCS - REBAR & BLUE CAP SET

✕ - FENCE (LOCATIONS AND DIMENSIONS SHOWN REFER TO CENTER OF POSTS)  
..... - OVERHEAD WIRES

SURVEYOR'S CERTIFICATE

I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS PLAT AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 09.13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENT OF RECORD, BUILDING RESTRICTION LINES AND EASEMENTS NOT SHOWN ON RECORD PLAT MAY NOT BE SHOWN HEREON.



BOUNDARY SURVEY PLAT  
**2901 DAWSON AVENUE**  
**LOT 1, BLOCK 37**  
**WHEATON HILLS**

PLAT 1987  
LIBER 55877, FOLIO 259  
MONTGOMERY COUNTY, MARYLAND  
SCALE: 1"= 20'    DATE: 08/14/2025  
DRAWN BY: JCM    FILE #: 259223 - 700

A Land Surveying Company

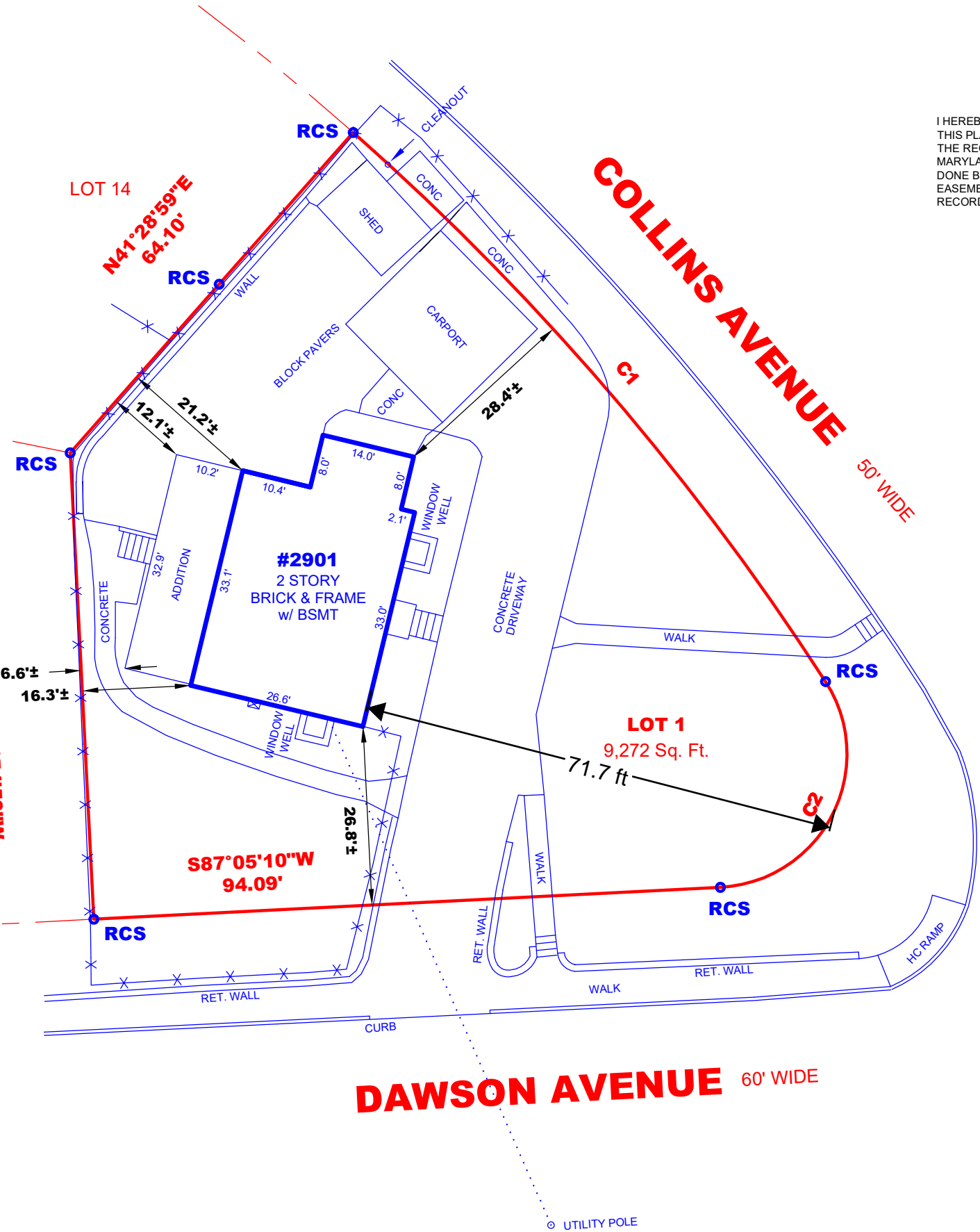
**DULEY**  
and  
Associates, Inc.

Serving D.C. and MD.

14604 Elm Street, Upper Marlboro, MD 20772

Phone: 301-888-1111    Fax: 301-888-1114

For survey order/approval forms, prices & more visit us at [www.duley.biz](http://www.duley.biz)





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

☐

EXISTING STRUCTURE

☐

PROPOSED STRUCTURE

☐

NON-CONFORMING

☐

NON-COMPLYING

☐

NEW SINGLE-FAMILY DWELLING

TYPE OF CONSTRUCTION:

☐

ROOM ADDITION

☐

SWIMMING POOL

☐

PORCH

☐

DECK

☐

SHED

☐

FENCE/RETAINING WALL

☐

ACCESSORY STRUCTURE

☐

GARAGE/CARPORT

☐

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 Sabbakhan  
Director

BUILDING PERMIT DENIAL

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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 type="checkbox"/> Y	EXISTING STRUCTURE	<input type="checkbox"/> N	PROPOSED STRUCTURE
<input type="checkbox"/> N	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 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-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

0 250 500 750 1,000 1,250 Feet



Printed: 11/7/2025

1 inch = 250 feet

Account #	01183997
Address	2901 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 Policy 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](https://mcAtlas.org/zoning).

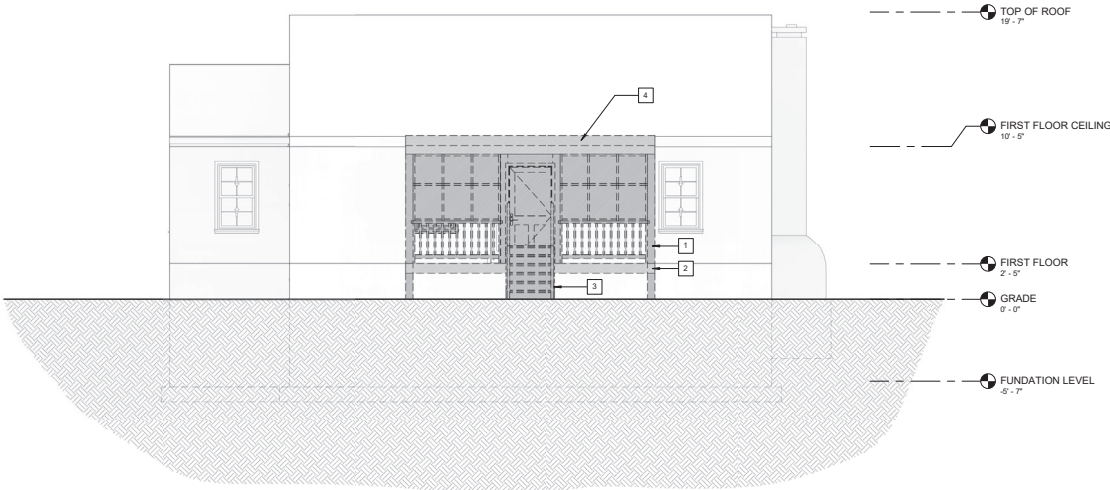
Signed

*Athena Skoufias*





# Existing Rear & Front Elevations



2 REAR BUILDING ELEVATION  
1/4" = 1'-0"



1 FRONT BUILDING ELEVATION  
1/4" = 1'-0"

EXIST AND DEMO ELEVATION NOTES	
NUMBER	NOTE
1	REMOVE EXIST GIG POST
2	REMOVE EXIST WOOD FLOOR
3	REMOVE EXIST STAIR
4	REMOVE EXIST ROOF

BUILD & DESIGN  
CONSTRUCTION  
INC.  
9824 HUBBARD DRIVE  
ROCKVILLE, MD 20852  
OFFICE: 301.421.0866  
CELL: 301.421.0866  
FAX: 246-334-4750  
buildanddesign@gmail.com

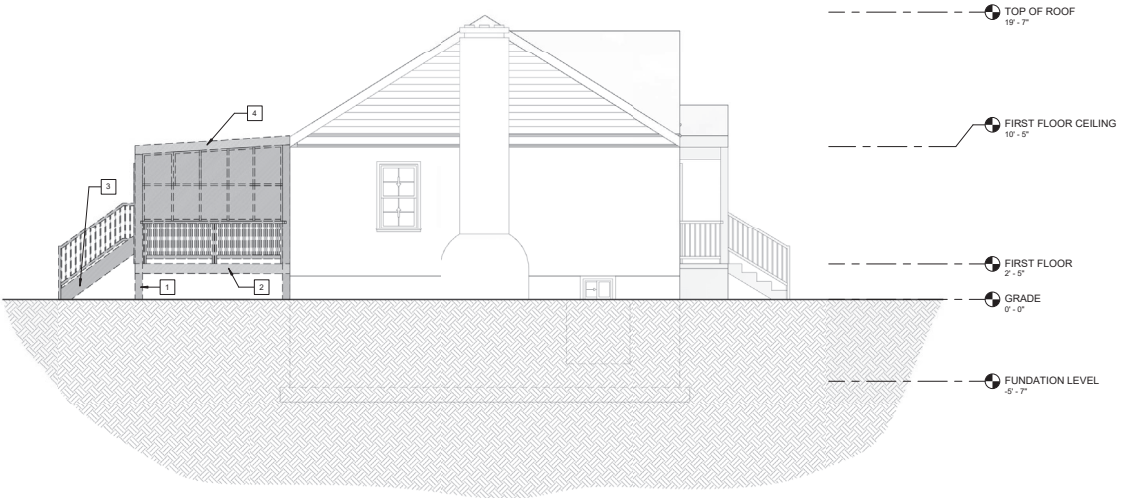
RIVERA RESIDENCE  
2901 DAWSON AVENUE, SILVER  
SPRINGS, MD 20902  
OWNER: ELBIN RIVERA HERNANDEZ

MARK	DATE	DESCRIPTION
ISSUED: 19/09/2025 13:39:24		
SCALE: AS NOTED		
DRAWN BY: E.B.	CHECKED BY: E.D.	
PROJECT NO.	25 - 1115 - ED	
EXIST AND DEMO FRONT AND REAR ELEVATION		
SHEET: D2.0		

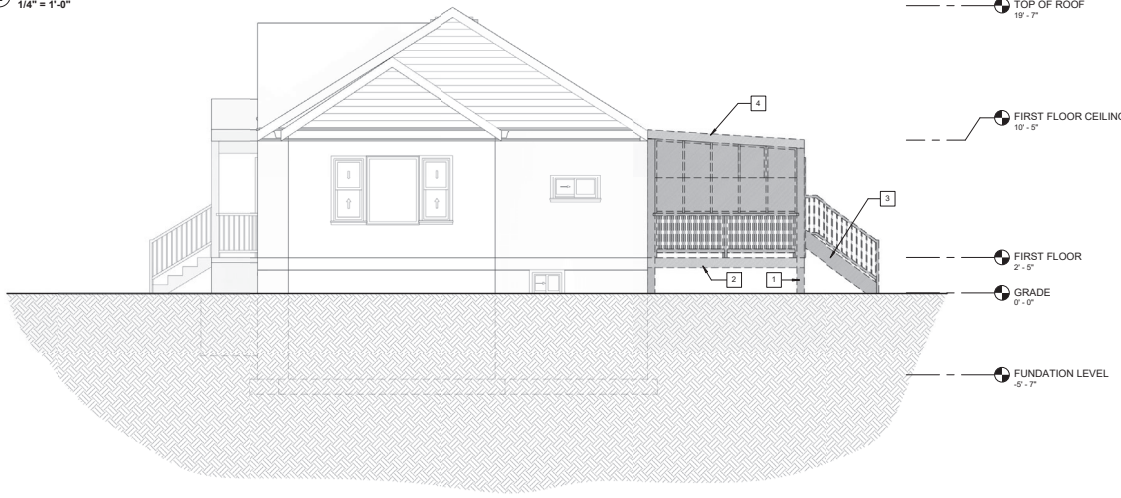


## Exhibit 5(b)

# Existing Left & Right Elevations



2 LEFT BUILDING ELEVATION  
1/4" = 1'-0"



1 RIGHT BUILDING ELEVATION  
1/4" = 1'-0"

EXIST AND DEMO ELEVATION NOTES	
NUMBER	NOTE
1	REMOVE EXIST 6X6 POST
2	REMOVE EXIST WOOD FLOOR
3	REMOVE EXIST STAIR
4	REMOVE EXIST ROOF

BUILD & DESIGN  
CONSTRUCTION  
INC.

8824 HUBBARD DRIVE  
ROCKVILLE, MD 20852  
OFFICE: 301.421.0866  
CELL: 301.421.0866  
FAX: 246.334-4750  
buildanddesign@gmail.com

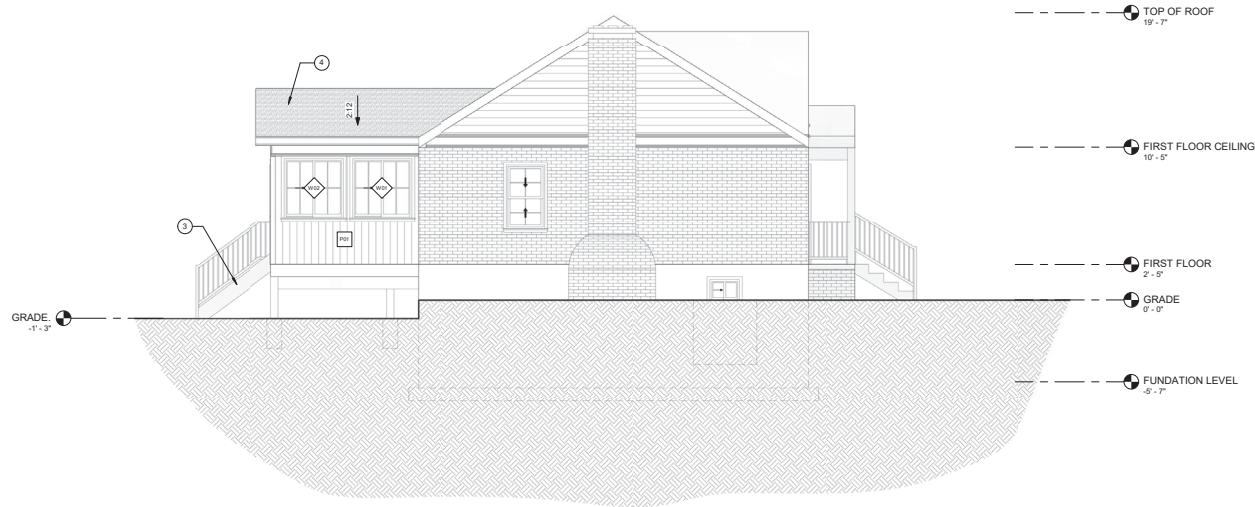
RIVERA RESIDENCE

2901 DAWSON AVENUE, SILVER  
SPRINGS, MD 20902

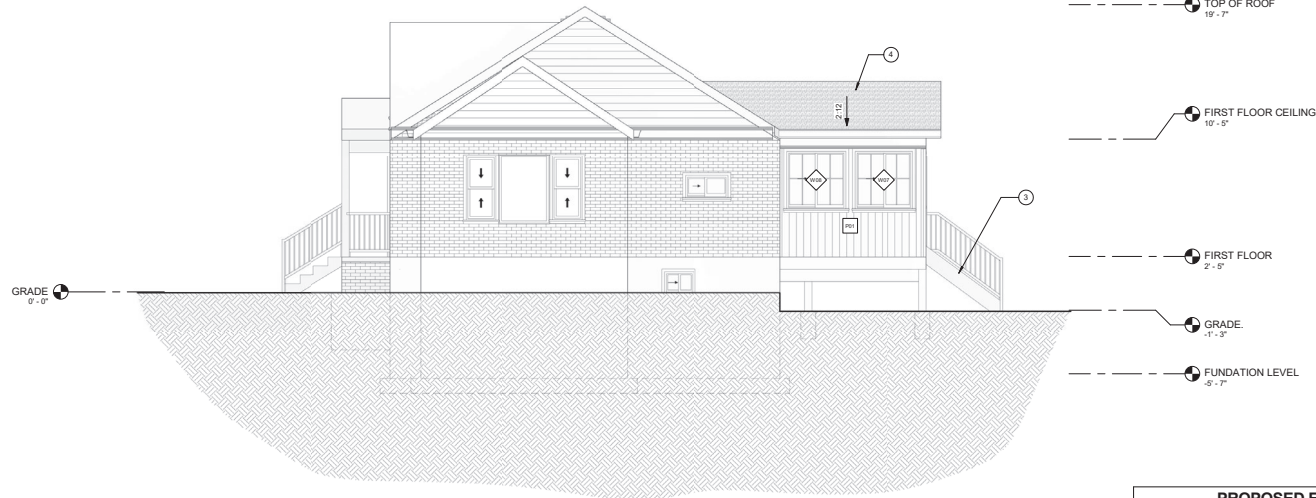
OWNER: ELBIN RIVERA HERNANDEZ

MARK	DATE	DESCRIPTION
ISSUED:		19/09/2025 13:41:02
SCALE: AS NOTED		
DRAWN BY: E.B	CHECKED BY: E.D	
PROJECT NO.	25 - 1115 - ED	
EXIST AND DEMO RIGHT AND LEFT ELEVATION		
SHEET:		D2.1

# Proposed Left & Right Side Elevations



② LEFT BUILDING ELEVATION  
1/4" = 1'-0"



① RIGHT BUILDING ELEVATION  
1/4" = 1'-0"

PROPOSED ELEVATION NOTES	
NUMBER	NOTE
3	NEW WOOD STAIR
4	NEW ROOF

BUILD & DESIGN  
CONSTRUCTION  
INC.

5524 HUBBARD DRIVE  
ROCKVILLE, MD 20852  
OFFICE: 301-421-0866  
CELL: 301-421-0866  
FAX: 240-334-4750  
buildanddesign@gmail.com

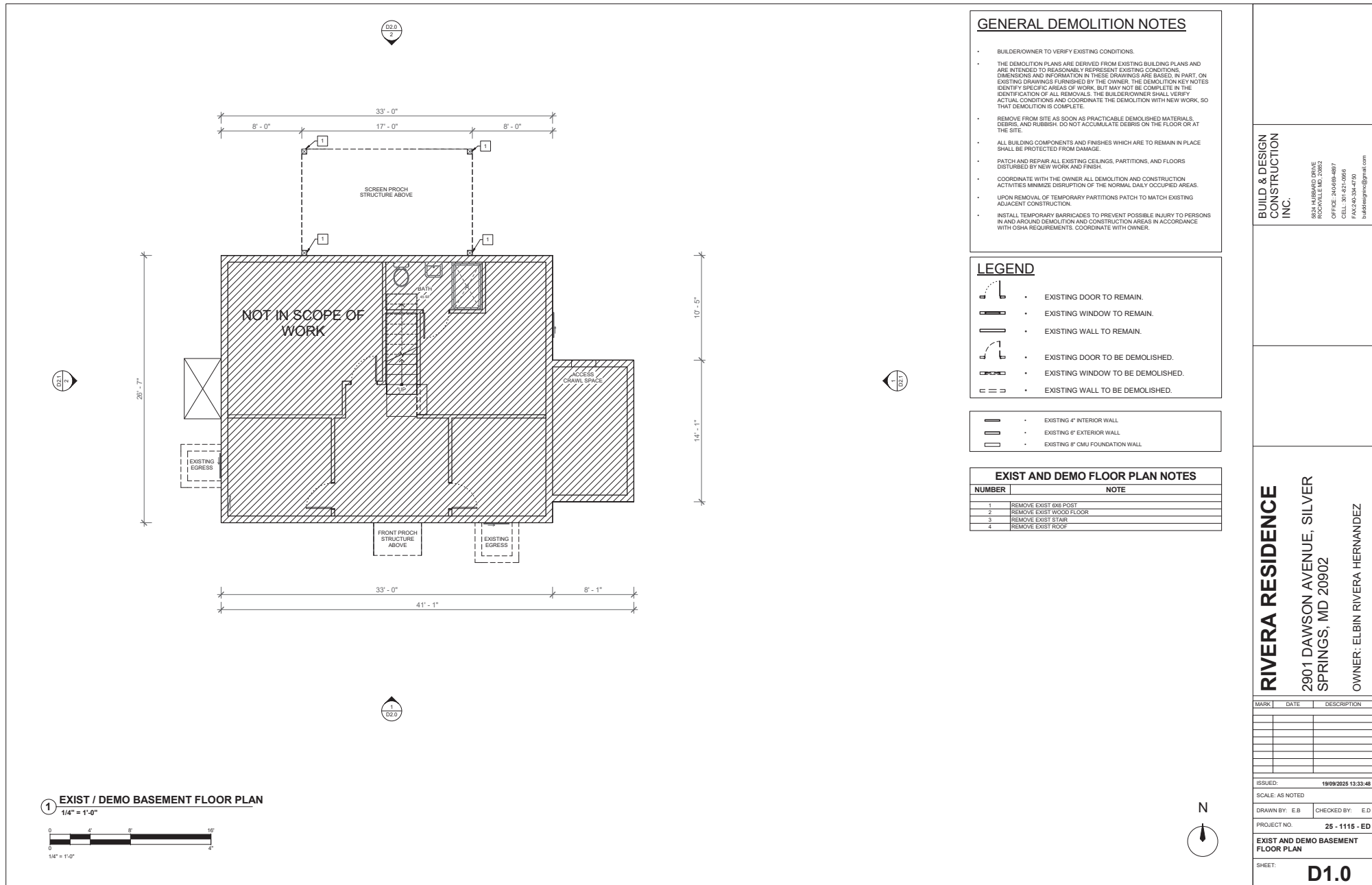
**RIVERA RESIDENCE**

2901 DAWSON AVENUE, SILVER  
SPRINGS, MD 20902

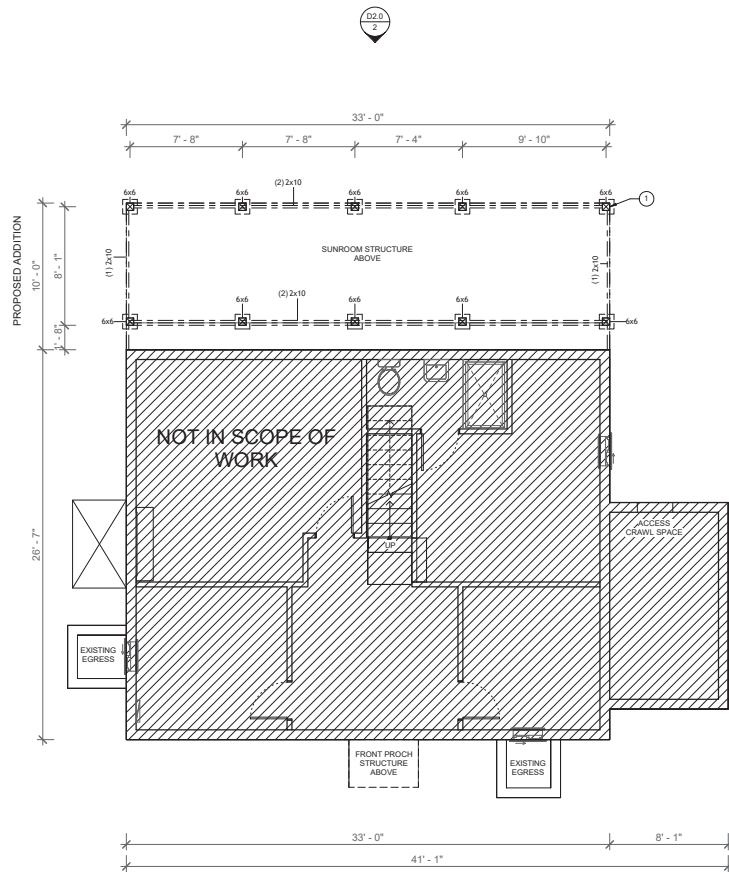
OWNER: ELBIN RIVERA HERNANDEZ

MARK	DATE	DESCRIPTION
ISSUED: 19/09/2025 13:30:14		
SCALE: AS NOTED		
DRAWN BY: E.P.	CHECKED BY: J.C.	
PROJECT NO.	25 - 1115 - ED	
PROPOSED BUILDING ELEVATIONS		
SHEET: <b>A2.1</b>		

# Existing & Demo Basement Floor Plan



# Proposed Basement Floor Plan



## GENERAL ARCHITECTURAL NOTES

- [illegible]

### LEGEND

- 
  - EXISTING DOOR TO REMAIN.
- 
  - EXISTING WINDOW TO REMAIN.
- 
  - NEW DOOR SEE SCHEDULE.
- 
  - NEW WINDOW. SEE SCHEDULE.

- EXISTING 4" INTERIOR WALL
- EXISTING 6" EXTERIOR WALL
- EXISTING 8" CMU FOUNDATION WALL

### PROPOSED FLOOR PLAN NOTES

NUMBER	NOTE
1	NEW 6X6 POST
2	NEW WOOD FLOOR
3	NEW WOOD STAIR
4	NEW ROOF

**1 PROPOSED BASEMENT FLOOR PLAN**  
1/4" = 1'-0"



**BUILD & DESIGN  
CONSTRUCTION  
INC.**

5824 HUBBARD DRIVE  
ROCKVILLE MD, 20852  
OFFICE: 240-660-4897  
CELL: 301-821-0956  
FAX: 240-334-4750  
buildesigns@gmail.com

RIVERA RESIDENCE

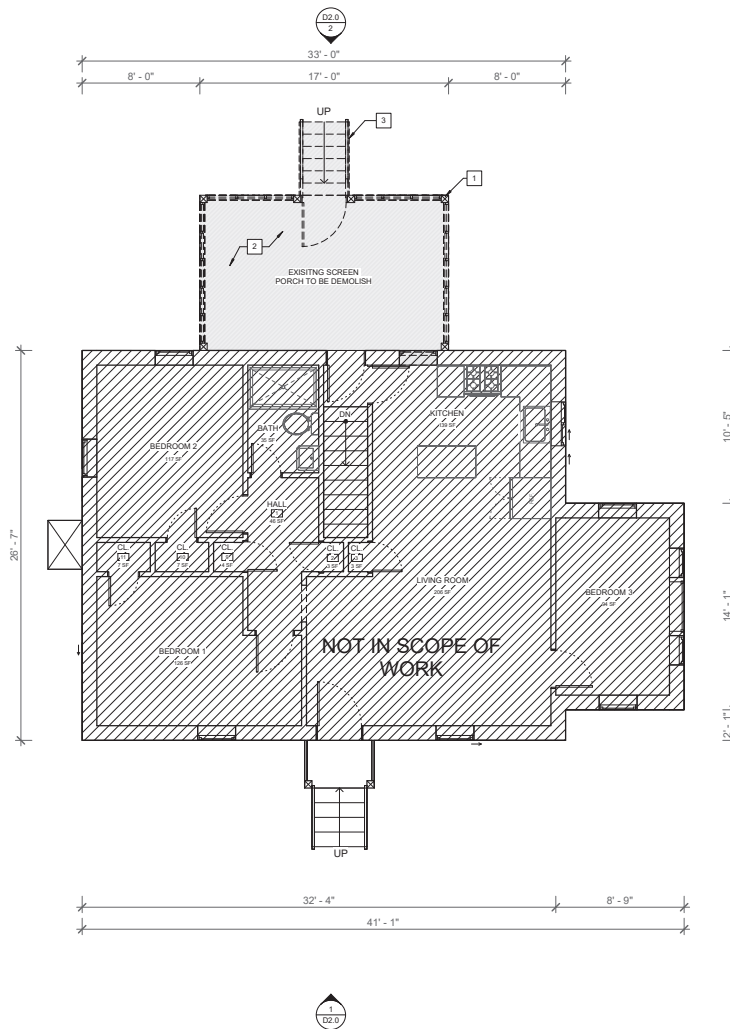
2901 DAWSON AVENUE, SILVER  
SPRINGS, MD 20902

OWNER: ELBIN RIVERA HERNANDEZ

MARK	DATE	DESCRIPTION
ISSUED:	19/09/2025 13:06:15	
SCALE: AS NOTED		
DRAWN BY: E.B	CHECKED BY: E.D	
PROJECT NO.		25 - 1115 - ED
<b>PROPOSED BASEMENT FLOOR PLAN</b>		
SHEET:	<b>A1.0</b>	



# Existing & Demo First Floor Plan









**1** **EXIST / DEMO FIRST FLOOR PLAN**  
1/4" = 1'-0"



## GENERAL DEMOLITION NOTES

- BUILDER/OWNER TO VERIFY EXISTING CONDITIONS.
- THE DEMOLITION PLANS ARE DERIVED FROM EXISTING BUILDING PLANS AND ARE INTENDED TO REASONABLY REPRESENT EXISTING CONDITIONS. THE DESIGN AND INFORMATION ON THESE DRAWINGS ARE BASED, IN PART, ON EXISTING DRAWINGS FURNISHED BY THE OWNER. THE DEMOLITION KEY NOTE DESCRIBES AREA WHERE THE EXISTING CONDITIONS MAY BE INCOMPLETE IN THE IDENTIFICATION OF ALL REMOVALS. THE BUILDER/OWNER SHALL VERIFY ACTUAL CONDITIONS AND COORDINATE THE DEMOLITION WITH NEW WORK, SO THAT THE DEMOLITION IS COMPLETE.
- REMOVE FROM SITE AS SOON AS PRACTICABLE DEMOLISHED MATERIALS, DEBRIS, AND RUBBISH; DO NOT ACCUMULATE DEBRIS ON THE FLOOR OR AT THE SITE.
- ALL BUILDING COMPONENTS AND FINISHES WHICH ARE TO REMAIN IN PLACE SHALL BE PROTECTED FROM DAMAGE.
- PATCH AND REPAIR ALL EXISTING CEILINGS, PARTITIONS, AND FLOORS DISTURBED BY NEW WORK AND FINISH.
- COORDINATE WITH THE OWNER ALL DEMOLITION AND CONSTRUCTION ACTIVITIES MINIMIZE DISRUPTION OF THE NORMAL DAILY OCCUPIED AREAS.
- DISRUPTION OF TEMPORARY PARTITIONS PATCH TO MATCH EXISTING ADJACENT CONSTRUCTION.
- INSTALL TEMPORARY BARRICADES TO PREVENT POSSIBLE INJURY TO PERSONS IN ADJACENT DEMOLITION ZONE. COORDINATE WITH THE OWNER IN ACCORDANCE WITH OSHA REQUIREMENTS. COORDINATE WITH OWNER.

### LEGEND

- |   |   |                                   |
|---|---|-----------------------------------|
|  | • | EXISTING DOOR TO REMAIN.          |
|  | • | EXISTING WINDOW TO REMAIN.        |
|  | • | EXISTING WALL TO REMAIN.          |
|  | • | EXISTING DOOR TO BE DEMOLISHED.   |
|  | • | EXISTING WINDOW TO BE DEMOLISHED. |
|  | • | EXISTING WALL TO BE DEMOLISHED.   |

-  • EXISTING 4" INTERIOR WALL
-  • EXISTING 6" EXTERIOR WALL
-  • EXISTING 8" CMU FOUNDATION WALL

**EXIST AND DEMO FLOOR PLAN NOTES**

NUMBER	NOTE
1	REMOVE EXIST 6X6 POST
2	REMOVE EXIST WOOD FLOOR
3	REMOVE EXIST STAIR
4	REMOVE EXIST ROOF

**BUILD & DESIGN  
CONSTRUCTION  
INC.**

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ROCKVILLE MD, 20852  
OFFICE: 240-669-4897  
CELL: 301-821-0056  
FAX: 240-334-4750  
bulldesigns@gmail.com

RIVERA RESIDENCE

2901 DAWSON AVENUE, SILVER  
SPRINGS, MD 20902

OWNER: ELBIN RIVERA HERNANDEZ

[illegible]

ISSUED: 19/09/2025 13:34:04

SCALE: AS NOTED

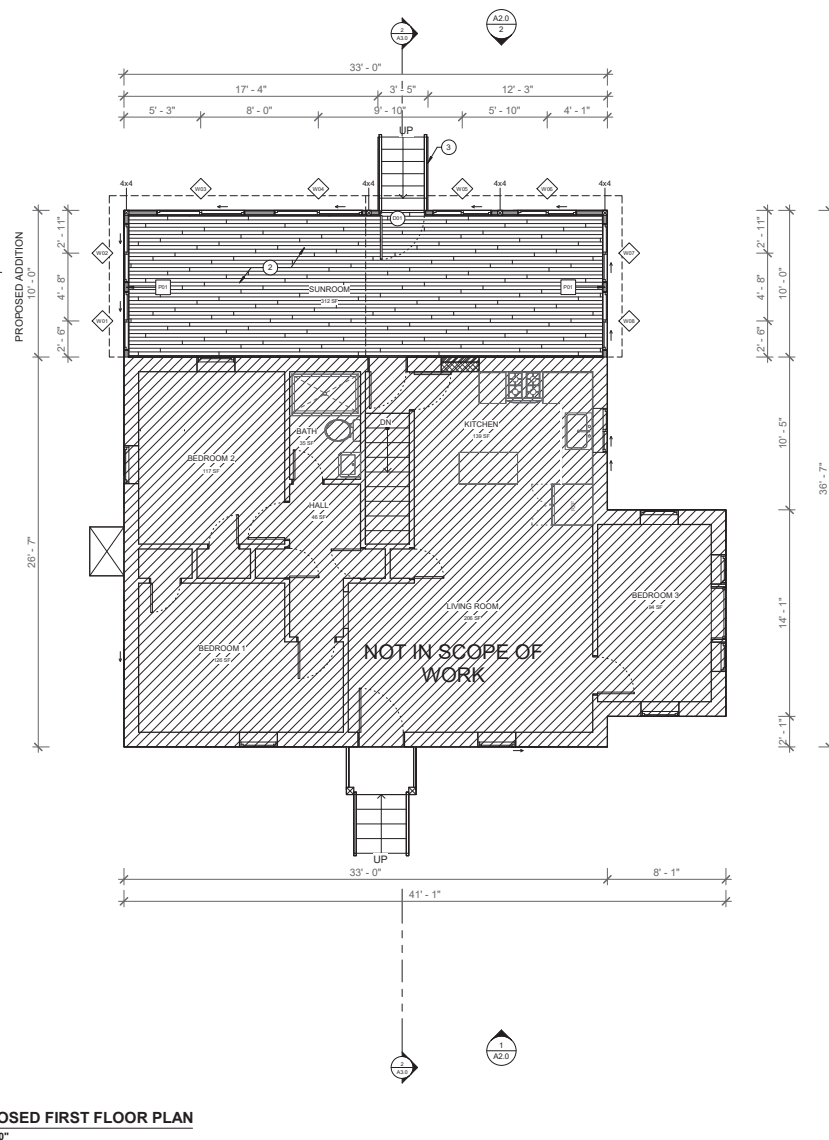
DRAWN BY: E.B	CHECKED BY: E.D
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PROJECT NO.	25 - 1115 - ED
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EXIST AND DEMO FIRST FLOOR  
PLAN

SHEET: **D1.1**

# Proposed First Floor Plan



**1 PORPOSED FIRST FLOOR PLAN**  
1/4" = 1'-0"




## GENERAL ARCHITECTURAL NOTES

- THE CONTRACTOR SHALL VERIFY DIMENSIONS OF AS-BUILT CONDITIONS AND ALL INFORMATION SHOWN ON THE CONSTRUCTION DOCUMENTS ARE BASED ON THE INFORMATION PROVIDED.
- THE BUILDING SHALL BE CONSTRUCTED IN FULL COMPLIANCE WITH BUILDING DEPARTMENT AND INTERIOR DEPARTMENT REGULATIONS AND ALL CITY, STATE AND FEDERAL REGULATIONS AS WELL AS THE DRAWINGS AND SPECIFICATIONS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER PLACEMENT OF PARTITIONS AND FIXTURES AND VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS. THE OWNER SHALL NOT BE RESPONSIBLE FOR CHANGES TO THE BUILDING DUE TO THE FAILURE OF THE CONTRACTOR TO VERIFY DIMENSIONS HIMSELF WITH EXISTING CONDITIONS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND SHALL HAVE PREFERENCE OVER SPACE AND BE FIELD VERIFIED.
- THE CONTRACTOR IS INTENDED TO USE THE MOST EFFICIENT AND APPROPRIATE WORKING METHOD. MINOR MODIFICATIONS MAY BE REQUIRED TO SUIT JOB DIMENSIONS AND CONDITIONS. ALL MODIFICATIONS SHALL BE APPROVED BY THE ARCHITECT.
- THE CONTRACTOR SHALL PROVIDE ALL PERMITS AND INSURANCE NECESSARY FOR THE PROPER EXECUTION OF THE WORK IN ACCORDANCE WITH ALL APPLICABLE CODES AND ORDINANCES. ALL WORK SHALL BE PROTECTED AND IS SHOWN AND DIMENSIONED WITH NOMINAL DIMENSIONS. FRAMED WALLS SHALL BE EXPOSED TO FACE OF STUDY. ALL WORK SHALL BE PROTECTED AND COORDINATE PLANS FOR NEW CONSTRUCTION IN DEMOLITION PLANS FOR REMOVAL. ALL WORK SHALL BE PROTECTED AND COORDINATE PLANS FOR CEILING, ETC. NECESSARY TO ACCOMMODATE NEW CONSTRUCTION.
- THE CONTRACTOR SHALL PROTECT ALL EXISTING CONDITIONS REQUIRED BY ALL BUILDING DEPARTMENTS AND SHALL BE RESPONSIBLE FOR PROVIDING PRIMARY POWER FOR ALL WORK AND SHALL BE EQUIPPED WITH A BATTERY BACK UP.
- ALL ELECTRICAL TRAYS AND TRUNKING SHALL BE REQUIRED TO BE RIGID RASSED PLATFORM MIN. 18" HIGH.
- ALL ELECTRICAL CIRCUMSTANCES IS THE USE OF WATER RESISTANT GPV, BOARD GREEN BOARD AS BACKING FOR TILE OR WALL PANS. IN ANY POTENTIAL ARE TO BE USED. USE OF WATER RESISTANT GPV, BOARD GREEN BOARD INTERIOR PANELS S' FISHED FOR MOISTURE & MOLD RESISTANCE. SHOWER STALLS SHALL BE FINISHED WITH A NON-SKID, NON-ABSORBENT MATERIAL TO BE USED TO AVOID THE RISK OF SLIP AND FALL.

**LEGEND**

- |   |   |                            |
|---|---|----------------------------|
|  | • | EXISTING DOOR TO REMAIN.   |
|  | • | EXISTING WINDOW TO REMAIN. |
|  | • | NEW DOOR SEE SCHEDULE.     |
|  | • | NEW WINDOW. SEE SCHEDULE.  |

-  • EXISTING 4" INTERIOR WALL
-  • EXISTING 6" EXTERIOR WALL
-  • EXISTING 8" CMU FOUNDATION WALL

### WALL LEGEND PROPOSED

IMAGE	MARK	WIDTH	FIRE RATING	DESCRIPTION
	P01	0' - 4"	N/A	NEW 4" INT. PARTITION WALL W/ 2x4 STUDS @ 16" O.C., R-13 INSULATION & LAYER OF DRYWALL

### PROPOSED FLOOR PLAN NOTES

NUMBER	NOTE
1	NEW 6X6 POST
2	NEW WOOD FLOOR
3	NEW WOOD STAIR
4	NEW ROOF

**-DOOR SCHEDULE-**

MARK	DIMENSIONS	MATERIAL	DESCRIPTIONS	FIRE RATING	U - FACTOR	SGHC - FACTOR	AIR INF RATE
FIRST FLOOR							
D01	3' - 0"16' - 8"	MDF/GLASS	DOOR EXT. SINGLE CL. AT CH. AREA		0.3	0.0	0.5

**-WINDOW SCHEDULE-**

MARK	DIMENSIONS	DESCRIPTION	U - FACTOR	SGHC - FACTOR	AIR INF. RATE
FIRST FLOOR					
W01	6'-0" x 4'-0"	DOUBLE SLIDING WINDOW	0.3	0.4	0.3
W02	6'-0" x 4'-0"	DOUBLE SLIDING WINDOW	0.3	0.4	0.3
W03	6'-0" x 4'-0"	DOUBLE SLIDING WINDOW	0.3	0.4	0.3
W04	6'-0" x 4'-0"	DOUBLE SLIDING WINDOW	0.3	0.4	0.3
W05	6'-0" x 4'-0"	DOUBLE SLIDING WINDOW	0.3	0.4	0.3
W06	6'-0" x 4'-0"	DOUBLE SLIDING WINDOW	0.3	0.4	0.3
W07	6'-0" x 4'-0"	DOUBLE SLIDING WINDOW	0.3	0.4	0.3
W08	6'-0" x 4'-0"	DOUBLE SLIDING WINDOW	0.3	0.4	0.3
W09	6'-0" x 4'-0"	DOUBLE SLIDING WINDOW	0.3	0.4	0.3

**BUILD & DESIGN  
CONSTRUCTION  
INC.**

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FAX: 240-334-4750  
bulldesigns@gmail.com

## RIVERA RESIDENCE

2901 DAWSON AVENUE, SILVER  
SPRINGS, MD 20902

OWNER: ELBIN RIVERA HERNANDEZ

MARK	DATE	DESCRIPTION

ISSUED: 19/09/2025 13:06:44

SCALE: AS NOTED

DRAWN BY: E.B	CHECKED BY: E.D
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PROJECT NO. 25 - 1115 - ED

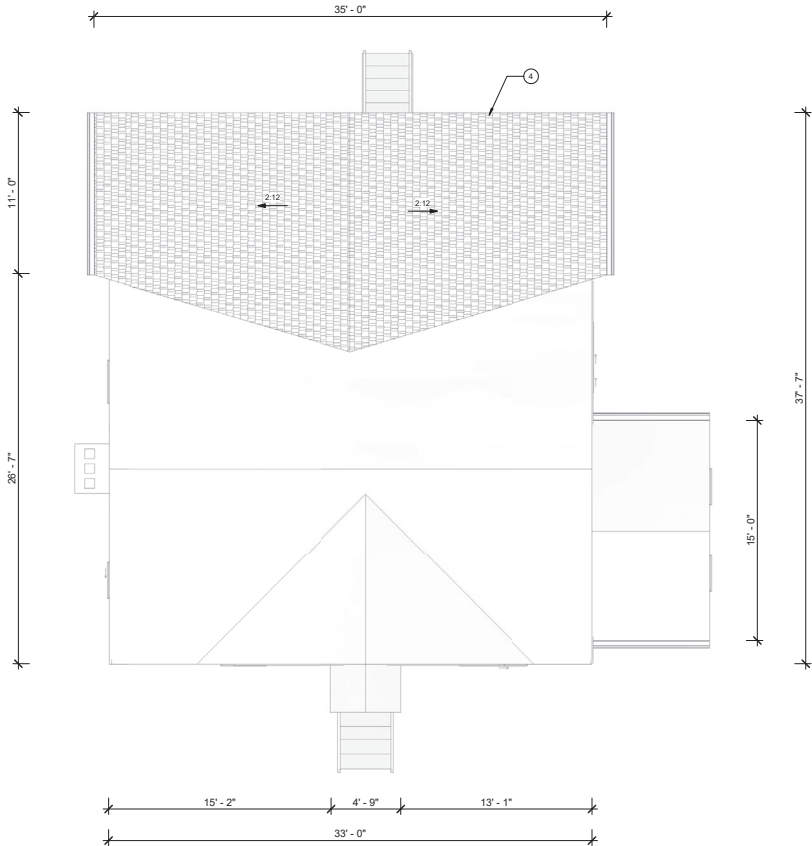
**PROPOSED FIRST FLOOR PLAN**

SHEET:

A1.1



# Proposed Roof Plan



## GENERAL ARCHITECTURAL NOTES

- THE CONTRACTOR SHALL VERIFY DIMENSIONS OF AS-BUILT CONDITIONS. ALL INFORMATION SHOWN ON THE CONSTRUCTION DOCUMENTS ARE BASED ON INFORMATION PROVIDED BY THE OWNER.
- THE BUILDING SHALL BE CONSTRUCTED IN FULL COMPLIANCE WITH BUILDING DEPARTMENT REGULATIONS AND ALL CITY ORDINANCES, LOCAL ORDINANCES, STATE REGULATIONS AS WELL AS THE DRAWINGS AND SPECIFICATIONS.
- THE CONTRACTOR SHALL VERIFY ALL EXISTING DIMENSIONS OF ALL CACEMER OF PARTITIONS AND FIXTURES AND VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS. THE OWNER SHALL NOT BE RESPONSIBLE FOR CHANGES TO EXISTING CONDITIONS DUE TO THE FAILURE OF THE CONTRACTOR TO VERIFY HIMSELF WITH EXISTING CONDITIONS.
- EXISTING DRAWINGS AND DIMENSIONS SHALL HAVE PREFERENCE OVER SCALE AND FIELD VERIFIED.
- IF THE CONTRACTOR INTENDS TO USE A METHOD AND MANNER OF ACCOMPLISHING WORK, MINOR MODIFICATIONS MAY BE REQUIRED TO SUIT JOBSHOPS SCHEDULES, CONDITIONS, AND REQUIREMENTS.
- THE CONTRACTOR SHALL PROVIDE ALL PERMITS AND INSPECTION NECESSARY FOR THE PROPER EXECUTION OF THE WORK IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS. ALL WALL WIDTHS ARE SHOWN AND DIMENSIONED WITH NOMINAL DIMENSIONS. FRAMED WALLS SHALL BE ADJUSTED TO FACE OF STUDY.
- COORDINATE PLANS FOR NEW CONSTRUCTION V/D DEMOLITION PLANS FOR REMOVAL. REMOVE EXISTING MATERIALS TO PREPARE FOR NEW CEILINGS, ETC. NECESSARY TO ACCOMMODATE NEW CONSTRUCTION.
- REMOVE EXISTING EQUIPMENT FROM THE PROJECT AREA. IBC 2018 AND SHALL RECEIVE THEIR PRIMARY POWER FROM BUILDING WIRING SYSTEM. ALL EQUIPMENT SHALL BE LOCATED AT LEAST 6' FROM GAS WATER HEATERS AND FURNACES SHALL BE LOCATED ON A RIGID RAISED PLATFORM MIN. 18" HIGH.
- ELECTRICAL UTILITIES USED FOR THE USE OF WATER RESISTANT GYF, BOARD GREEN BOARD AS BACKING FOR TILE OR WALL PANELS IS ANY POTENTIAL CRACKS TO BE FINISHED WITH AN APPROPRIATE NON ABSORBENT MATERIAL TO A HEIGHT OF 7' ABOVE THE DRAIN LINE.

### LEGEND

- |   |                              |
|---|------------------------------|
|  | • EXISTING DOOR TO REMAIN.   |
|  | • EXISTING WINDOW TO REMAIN. |
|  | • NEW DOOR SEE SCHEDULE.     |
|  | • NEW WINDOW. SEE SCHEDULE.  |

- EXISTING 4" INTERIOR WALL
- EXISTING 6" EXTERIOR WALL
- EXISTING 8" CMU FOUNDATION WALL

### PROPOSED FLOOR PLAN NOTES

NUMBER	NOTE
1	NEW 6X6 POST
2	NEW WOOD FLOOR
3	NEW WOOD STAIR
4	NEW ROOF

**1 PROPOSED ROOF PLAN**  
1/4" = 1'-0"

MARK	DATE	DESCRIPTION
ISSUED: 19/09/2025 13:28:02		
SCALE: AS NOTED		
DRAWN BY: E.B		CHECKED BY: E.D
PROJECT NO. 25 - 1115 - ED		
PROPOSED ROOF PLAN		
SHEET:		

RIVERA RESIDENCE

2901 DAWSON AVENUE, SILVER  
SPRINGS, MD 20902

OWNER: ELBIN RIVERA HERNANDEZ

**BUILD & DESIGN  
CONSTRUCTION  
INC.**

5824 HUBBARD DRIVE

ROCKVILLE MD, 20852

OFFICE: 240-669-4897

CELL: 301-821-0956  
FAX: 240-334-4750  
buddtestgrino@gmail.com



MARK	DATE	DESCRIPTION
ISSUED:		19/09/2025 13:31:42
SCALE: AS NOTED		
DRAWN BY: E.B		CHECKED BY: E.D
PROJECT NO.		25 - 1115 - ED
PROPOSED BUILDING SECTIONS		
SHEET:		<b>A3.0</b>

2901 DAWSON AVENUE, SILVER SPRINGS, MD 20902

## Exhibit 5(I)



September 16, 2025

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

Re: 2901 Dawson Ave Variance Request

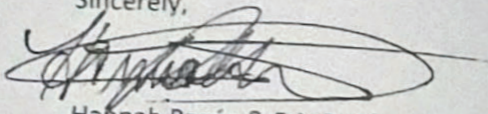
To Whom It May Concern:

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.

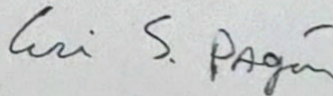
While we have not seen any plans for construction and are not aware of further planned construction, the addition as it stands today appears to take up the same space as the back porch that Mr. Rivera Hernandez had previously. The addition does not affect our use of our own property and is not out of 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:


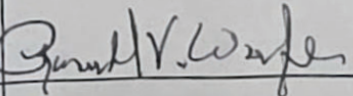
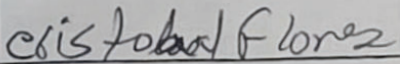
We, the undersigned property owners and neighbors of 2901 Dawson Avenue, write in support of the variance request submitted by Mr. Elbin Rivera Hernandez for a rear/side yard setback to accommodate his home addition.

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](http://www.JeongConsulting.design)

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

**Ephrata, PA**

May 2025-Present

### **Colliers Engineering & Design, Inc.**

*Department Manager*

**Columbia, MD**

October 2022-May 2025

- 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**

*Principal*

**Silver Spring, MD**

October 2022-December 2024

- 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

# 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 (continued)

---

### **Prince George's County, Maryland**

**Largo, MD**

Engineer III

June 2020-October 2022

- 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 19<sup>th</sup> 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  
**Mailing Address:** 2901 DAWSON AVE      **Principal Residence:** YES  
SILVER SPRING MD 20902-2651      **Deed Reference:** /55877/ 00259

### Location & Structure Information

**Premises Address:** 2901 DAWSON AVE      **Legal Description:** WHEATON HILLS  
SILVER SPRING 20902-2651

**Map:** HQ61 0000 0000      **Grid:** 13260054.16      **Parcel:** 0054      **Subdivision:** 37      **Section:** 1      **Block:** 2026      **Assessment Year:** 1987      **Plat No:**      **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	As of	As of
		01/01/2026	07/01/2025	07/01/2026
<b>Land:</b>	182,900	182,900		
<b>Improvements</b>	243,300	308,500		
<b>Total:</b>	426,200	491,400	426,200	447,933
<b>Preferential Land:</b>	0	0		

### Transfer Information

<b>Seller:</b> MEJIA EUSEBIO	<b>Date:</b> 04/11/2018	<b>Price:</b> \$367,000
<b>Type:</b> ARMS LENGTH IMPROVED	<b>Deed1:</b> /55877/ 00259	<b>Deed2:</b>
<b>Seller:</b> RICCI, CARL F&L C	<b>Date:</b> 04/02/2004	<b>Price:</b> \$279,000
<b>Type:</b> ARMS LENGTH IMPROVED	<b>Deed1:</b> /27043/ 00454	<b>Deed2:</b>
<b>Seller:</b>	<b>Date:</b>	<b>Price:</b>
<b>Type:</b>	<b>Deed1:</b>	<b>Deed2:</b>

### Exemption Information

Partial Exempt Assessments:	Class	07/01/2025	07/01/2026
<b>County:</b>	000	0.00	
<b>State:</b>	000	0.00	
<b>Municipal:</b>	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:**