

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

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Case No. A-6955

PETITION OF ANTHONY ANDONIAN AND NARINE KIRAKOSIAN

OPINION OF THE BOARD

(Hearing Date: March 4, 2026)

(Effective Date of Opinion: March 11, 2026)

Case No. A-6955 is an application by Petitioners Anthony Andonian and Narine Kirakosian for variances needed for the proposed construction of a one-story right side addition and a rear addition. The proposed construction of a right side addition requires a variance of seven (7) feet in order to be located eight (8) feet from the property's right side lot line. The required setback is fifteen (15) feet, on account of the home's ten (10) foot setback from the left side lot line and the twenty-five (25) foot sum of both sides setback required by Section 59.4.4.8.B.2 of the Zoning Ordinance. In addition, the proposed construction of the right side and rear additions requires a variance of 5.31% from the infill lot coverage maximum, in accordance with Section 59.4.4.8.B.1 of the Zoning Ordinance. The proposed construction will increase the total lot coverage to 31.23%, exceeding the infill lot coverage maximum of 25.92% by 5.31%.

The Board of Appeals held a hearing on the application on March 4, 2026. Petitioners Anthony Ardonian and Narine Kirakosian appeared at the hearing and testified in support of the requested variances. They were assisted by their architects, Lauren Andersen and Karen Mosel.

Decision of the Board: Variances **GRANTED**.

EVIDENCE PRESENTED

1. The subject property is Lot 17, Block 4, Wildwood Manor Subdivision, located at 6012 Rossmore Drive in Bethesda, Maryland, 20814, in the RE-2C Zone. The subject property is a rectangular lot located on the south side of Rossmore Drive. The subject

has an area of 10,080 square feet. The property contains a house that was built in 1961. It was purchased by the Petitioners in 2018. See Exhibits 3, 4, and 7.

2. The Petitioners' variance Application indicates that they are seeking to construct a garage on the right side of their home. The Application states that the property's narrowness causes the Petitioners a practical difficulty in carrying out this construction. See Exhibit 1.

3. The Petitioners' Statement of Justification ("Statement") states that the Petitioners are proposing to construct a two-car garage in place of an existing carport, and to construct a "mudroom/pantry connection from the proposed garage to the right side of the house." The Statement states that the property's setbacks and lot coverage limitation do not allow this construction with variance relief. See Exhibit 3.

4. The Statement indicates that the subject property and proposed construction satisfy Section 59.7.3.2.E.2.a.i and Section 59.7.3.2.E.2.a.v of the Zoning Ordinance. With respect to Section 59.7.3.2.E.2.a.i, the Statement states that the "narrow width of the lot creates an extraordinary condition that prevents the construction of a properly sized attached two-car garage within the required principal building setbacks." The Statement states that the Petitioners' existing house "already occupies nearly the full buildable width allowed between the principal side setbacks," and that as a result, "there is no feasible location on the property where a functional attached garage can be added in full compliance with current zoning requirements." The Statement states that "[t]his existing constraint is inherent to the lot's dimensions and the home's original placement." See Exhibit 3.

With respect to Section 59.7.3.2.E.2.a.v of the Zoning Ordinance, the Statement states that there are two properties on the Petitioners' street, one of which is located two houses away, that have "a slightly wider lot that accommodates a 2-car attached garage." The Statement includes a photograph of one such property. The Statement further states that another home on the street has "a wider 2-car carport." The Statement states that "[t]his comparison highlights that the lot's limited width is a unique constraint that distinguishes it from neighboring properties and creates the practical difficulties addressed by this variance request." See Exhibit 3.

5. The Statement states that the special circumstances pertaining to the subject property are not due to any actions of the Petitioners. The Statement states that the Petitioners took ownership of the property "long after the house, lot lines, and overall configuration were established," and that "[n]either the shape of the lot nor the placement of the existing house has changed" since the Petitioners' purchase of the property. The Statement further states that "[t]he conditions giving rise to the variance request—including the lot's narrow width, the house's placement, and the existing carport, which was already encroaching 5' into the side setback at the time of purchase—are entirely pre-existing." See Exhibit 3.

6. The Statement states that the “limited buildable width of the lot creates a practical difficulty that prevents the construction of an attached garage and mudroom in compliance with the required setbacks.” The Statement further states that the proposed location for the garage and mudroom addition “is the only location that allows safe, functional, and code-compliant interior access.” The Statement states that the existing carport is too narrow to accommodate two cars, and that the proposed garage “represents the minimum interior width necessary for two vehicles to be parked safely with adequate clearance for door swing, mobility, and safe passage to the house.” The Statement states that “[g]iven these constraints, the requested 7’-0” side setback variance represents the minimum necessary relief to construct a functional attached garage while addressing the practical difficulties created by the lot’s exceptional narrowness.” See Exhibit 3.

The Statement states that in addition to displacing the existing carport, the proposed garage/mudroom addition also displaces the Petitioners’ dining room. Because of this, and to maintain a functional floor plan and provide for an accessible primary suite for future aging in place, the Statement states that the Petitioners have designed a rear addition that will house a new dining room, living area, and primary suite. The Statement states that the proposed rear addition “is necessary to reestablish essential living spaces that cannot remain where the new garage will be placed,” and “creates a secondary single-step entry, and the opportunity for a future ramp,” thereby “support[ing] long-term accessibility goals for the homeowners or visiting family members.” See Exhibit 3.

The Statement states that taken together, the proposed side (garage/mudroom) and rear additions “increase the lot coverage to 31.23%, which exceeds the current maximum lot coverage by 5.31%.” The Statement states that this increased lot coverage is the minimum needed to do the following:

1. Construct a code-compliant, functional two-car attached garage on a lot whose narrow width makes compliance otherwise impossible;
2. Relocate essential interior spaces displaced by the garage footprint without compromising safety, circulation, or the overall livability of the home; and
3. Incorporate essential aging-in-place design features and safe entry options that cannot be achieved within the existing footprint.

The Statement states that the requested 5.31% increase in allowable lot coverage “reflects the area necessary to accommodate these functional requirements while addressing the practical difficulties created by the lot’s narrow width.” The Statement further states that the requested increase in allowable lot coverage “represents the minimum relief needed to achieve a safe, accessible, and code-compliant home given the property’s unique constraints.” See Exhibit 3.

7. The Statement states that granting the requested variances will not substantially impair the intent and integrity of the applicable North Bethesda-Garrett Park Master Plan. In support of this, the Statement states that “[t]he proposed additions are designed to be consistent with the character of surrounding properties in the neighborhood,” and that

"[t]he home remains a single-story structure, maintaining scale and proportion in harmony with neighboring residences." See Exhibit 3.

8. The Statement indicates that granting the variances will not be adverse to the use and enjoyment of abutting or confronting properties. In support of this, the Statement states that "the character of the proposed addition coincides with the essential character of the house and the neighborhood." In addition, the Statement states that addition's design "substantially increases the property's value and aesthetics, which mutually benefits the property's neighbors and surrounding community." Finally, the Statement states that the proposed garage is approximately 3'-11" forward of the front plane of the house, and thus has "minimal influence to neighboring properties and the street front." See Exhibit 3.

9. At the hearing, Ms. Anderson testified that the narrow width of the subject property precludes construction of a code compliant two-car garage on the property. She explained that there is an established ten (10) foot setback on the left side of the house, and that the Petitioners need a variance from the right side setback because of the sum of both sides requirement. Ms. Anderson testified that the Petitioners are seeking to renovate their home for long-term use, and that the two-car garage would allow for installation of a lift to assist with aging in place.

Referring to the Site Plan (Exhibit 4), Ms. Anderson testified that the proposed addition to the right front corner of the house is the proposed garage, and that a new mudroom with access to the house is proposed behind that. She testified that across the rear is a proposed expansion of the home to allow for aging in place improvements.

In response to a Board question asking if the proposed garage addition was larger than the carport it was replacing, Ms. Anderson testified that the proposed garage would extend approximately seven feet beyond the footprint of the existing carport. She testified that the existing carport is tight and can only accommodate one car. In addition, Ms. Anderson testified that the existing carport is nonconforming. She testified that the proposed garage is the minimum size for a two-car garage.

In response to a Board question asking about the allowable lot coverage, Ms. Anderson testified that the Petitioners need approximately 31% lot coverage in order to accommodate a two-car garage, to allow for the relocation of existing spaces in the house, and to make the house accessible for future use. She testified that the requested additional lot coverage is the minimum necessary to achieve the Petitioners' goals and to maintain the character and livability of the house while meeting the required code minimums.

10. Ms. Mosel testified that there are a lot of houses in the Petitioners' neighborhood that are being torn down and replaced with multi-million dollar homes. She testified that the Petitioners love their house, and that they are seeking to maintain its character while at the same time making some affordable improvements to make their home more comparable with others in the neighborhood. Ms. Mosel testified that adding a second

story to the existing house to increase its square footage would not be conducive to aging in place.

11. In response to a Board question asking if he had spoken with his neighbors, Mr. Andonian testified that he had not had any explicit conversations about the proposed construction, but that he has a good relationship with his neighbors. Ms. Kirakosian testified that they are seeking to maintain the look of their neighborhood while at the same time being able to keep their cars in a garage.

In response to a Board question asking if there were any other properties in the neighborhood with lot coverage similar to what was being proposed, Mr. Andonian testified that there might be one property in the back of the neighborhood that has a large building in back. He testified that most homes have added another level when they needed additional space, but that the space created by adding another story would not be accessible. Ms. Kirakosian testified that in addition to not being accessible, adding an additional story to their existing house would not be affordable. She testified that in a few years, she and her husband will be the primary caretakers of their parents, who will be moving into the house.

CONCLUSIONS OF LAW

Based on the evidence of record, the Board finds that the variances can be granted. The requested variances comply with the applicable standards and requirements set forth in Section 59.7.3.2.E, as follows:

1. *Section 59.7.3.2.E.2.a - one or more of the following unusual or extraordinary situations or conditions exist:*

Section 59.7.3.2.E.2.a.i - exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary conditions peculiar to a specific property;

Section 59.7.3.2.E.2.a.ii - the proposed development uses an existing legal nonconforming property or structure

* * * * *

Section 59.7.3.2.E.2.v - the proposed development substantially conforms with the established historic or traditional development pattern of a street or neighborhood;

The Board finds, based on the Statement, Site Plan, Zoning Vicinity Map, and the testimony of record, that the subject property is relatively narrow, such that the Petitioners' existing house "already occupies nearly the full buildable width," and that the Petitioner's existing right side carport is nonconforming, resulting in their house being nonconforming. See Exhibits 3, 4, and 7. The Board finds that the property's narrowness constitutes an extraordinary condition peculiar to the subject property, in satisfaction of Section 59.7.3.2.E.2.a.i of the Zoning Ordinance, and that the proposed construction uses the existing house and will replace the existing nonconforming carport, in satisfaction of Section 59.7.3.2.E.2.a.ii. In addition, the Board finds, based on the Statement and testimony of record, that the property's narrowness results in a buildable envelope that is insufficient to allow the Petitioners to build a two-car garage (or carport) similar to others

on their street. See Exhibit 3. The Board finds that the Petitioners' proposed garage would substantially conform with the development pattern of their street, in satisfaction of Section 59.7.3.2.E.2.a.v of the Zoning Ordinance.

2. *Section 59.7.3.2.E.2.b. the special circumstances or conditions are not the result of actions by the applicant;*

The Board finds that the Petitioners, who purchased the subject property in 2018, are not responsible for the construction of their existing house and carport, for the narrowness of their property, or for the development pattern on their street. Accordingly, the Board finds that Section 59.7.3.2.E.2.b of the Zoning Ordinance is satisfied. See Exhibit 3.

3. *Section 59.7.3.2.E.2.c. the requested variance is the minimum necessary to overcome the practical difficulties that full compliance with this Chapter would impose due to the unusual or extraordinary situations or conditions on the property;*

The Board finds, based on the Application, Statement, and testimony of record, that the narrowness of the subject property and the lot coverage limitation preclude the Petitioners' proposed construction of a minimally-sized two-car garage, similar to others on their street, causing them a practical difficulty. The Board further finds that the application of the lot coverage limitation also precludes the construction of the proposed one-story rear addition, which meets all of the required setbacks and is needed to allow the relocation of interior living space that will be displaced by the proposed garage/mudroom addition, and for accessibility purposes. See Exhibits 1 and 3. The Board finds that this, too, causes the Petitioners a practical difficulty. The Board finds, based on the Site Plan, that the proposed garage will maintain an eight (8) foot setback from the property's right side lot line, which is the minimum side setback in the R-90 Zone, and that as noted above, the rear addition meets the required setbacks. See Exhibit 4. The Board further finds, based on the Statement, that the requested variances are the minimum needed to achieve a "safe, accessible, and code-compliant home." See Exhibit 3. In light of the foregoing, the Board finds that the grant of the requested variances is the minimum needed to overcome the practical difficulty that full compliance with the Zoning Ordinance would impose. Accordingly, the Board finds that Section 59.7.3.2.E.2.c of the variance test is satisfied.

4. *Section 59.7.3.2.E.2.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 Board finds that allowing the Petitioners to proceed with the proposed construction is consistent with the residential uses contemplated by the North Bethesda/Garrett Park Master Plan (1992), which seeks to "protect and reinforce the integrity of existing residential neighborhoods." The Board thus finds that Section 59.7.3.2.E.2.d of the variance test is satisfied.

5. *Section 59.7.3.2.E.2.e. granting the variance will not be adverse to the use and enjoyment of abutting or confronting properties.*

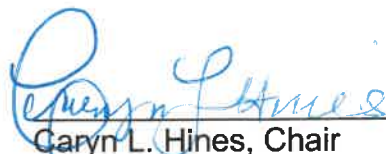
The Board finds, based on the Statement, that granting the requested variances will not be adverse to the use and enjoyment of neighboring properties, in satisfaction of this element of the variance test. In support of this, the Board finds that the "character of the proposed addition coincides with the essential character of the house and the neighborhood," and that the design of the addition will "substantially increase[] the property's value and aesthetics, which mutually benefits the property's neighbors and surrounding community." The Board further finds, again per the Statement, that the proposed garage will have "minimal influence to neighboring properties and the street front." See Exhibit 3. Finally, the Board notes that the property was properly posted, that the record contains no letters of opposition to the grant of the request variance, and that no one appeared at the hearing in opposition to the requested variance.

Accordingly, the requested variances from the right side setback/sum of both sides setback and from the infill lot coverage limitation are **granted**, subject to the following conditions:

1. Petitioners shall be bound by the testimony and exhibits of record; and
2. Construction shall be in accordance with Exhibits 4 and 5(a)-(c) (interior floorplans/layouts excluded).

Therefore, based upon the foregoing, on a motion by Caryn L. Hines, Chair, seconded by Amit Sharma, with Donald Silverstein in agreement, and with Richard Melnick, Vice Chair, and Alan Sternstein not in agreement, the Board adopted the following Resolution:

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



 Caryn L. Hines, Chair
 Montgomery County Board of Appeals

Entered in the Opinion Book of the Board of Appeals for Montgomery County, Maryland this 11th day of March, 2026.



 Barbara Jay
 Executive Director

NOTE:

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book. Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.

See Section 59.7.3.2.G.1 of the Zoning Ordinance regarding the twelve (12) month period within which the variance granted by the Board must be exercised.