



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

June 30, 2023

MARIA FAVALI FLAVIA
7709 OLDCHESTER RD
BETHESDA, MD 20817

PRELIMINARY INSPECTION REPORT
Accessory Dwelling Unit (ADU)
ADU address: 7709 OLDCHESTER RD
Pending License #: 151423
Housing Code Case #: 179719

Dear MARIA FAVALI FLAVIA :

The preliminary inspection for the ADU licensing and registration was conducted on **June 30, 2023 at 03:21 PM**. The required Licensing Pending ADU sign was posted on the front yard and visible to the public. The new proposed ADU will be located in the detached structure with the entrance door on the rear of the property. The on-site parking measured approximately 1279 square feet, there is no garage. The property lot is not located within 1 mile of the Metrorail, Purple Line, or MARC Rail Station. The Principal Dwelling is approximately 2712 gross square feet, and the Accessory Dwelling Unit is proposed to be approximately 576 gross square feet.

All applicable building permits must be obtained through Department of Permitting Services (DPS) and/or Washington Suburban Sanitary Commission (WSSC) and finalized before DHCA can approve the license. All repairs, maintenance work, alterations, or installations shall be executed in a workmanlike manner and in compliance with all applicable codes. **Present this inspection report along with a copy of your stamped ADU drawing to DPS for any needed permits.**

The following requirements must be met for the ADU license to be approved:

1. The property must be occupied by the homeowner(s), who may reside in the principal dwelling or in the ADU. The ADU must have the same address as the main house.
2. The ADU may not be occupied by more than two adults (eighteen years or older) and total number of occupants must abide by the square footage limitations under Chapter 26 of the Montgomery County Code.
3. The ADU must be subordinate to the principal dwelling whether attached or detached and shall be the only additional living unit or residential use space on a lot or parcel. No other tenants, Airbnb's or short-term residential rentals are permitted.
4. Detached ADU – the maximum gross floor area must be the least of 50% of the footprint of the principal dwelling; 10% of the lot area; or 1,200 square feet of gross floor area.

Exhibit 2
OZAH Case No: ADO 23-06

Division of Community Development

Code Enforcement

Neighborhood Revitalization

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3701 FAX • www.montgomerycountymd.gov/dhca



montgomerycountymd.gov/311

240-777-3556 TTY

(Exception for structures constructed legally before May 31, 2012 that is not increased in size or building height and does not have new windows on a wall nearest to abutting property may be used for a detached ADU without regard to setbacks or floor area per ZTA 19-01).

5. Exterior light fixtures are required to provide adequate lighting for walkway to ADU and outside the ADU entrance door. Motion or photocell fixtures recommended. Exterior lighting shall be installed in a way that is directed away from the windows of adjacent homes.
6. Walkway path to ADU entrance door must be in good, serviceable, and safe condition.
7. Each owner of a dwelling unit shall have heating equipment capable of maintaining a temperature of at least 68 degrees Fahrenheit in each habitable room, bathroom, and water closet at a distance of 3 feet above floor level.
8. The entrance door shall be side-hinged and have a clear width of not less than 32 inches and a clear height of not less than 78 inches. A viewer must be installed in the entrance door, except for when a window, vision panel, or similar transparent device is located within 2 feet of the door and faces the external area in front of the door.
9. All doors and windows shall be installed and maintained with a locking mechanism. Entrance doors shall have a deadbolt lock with a minimum one-inch throw or other acceptable locking mechanism. The door locks shall operate with a key from the outside, and all window and door locks must operate by a thumb turn from the inside.
10. Every sleeping room must have at least one operable outside window or exterior door approved for emergency egress or rescue in accordance with the fire code. A window shall be at least 5 square feet of net clear opening for grade floor or below grade. Above grade windows shall be at least 5'7" square feet of net clear opening. The minimum height of the window opening must be at least 24 inches and the width at least 20 inches. The maximum height from the finished floor to the windowsill shall be not more than 44 inches.
11. A sleeping room cannot be installed in an area that is adjacent to a utility room containing fuel burning furnaces and/or water heaters that use the sleeping area for combustion air.
12. Smoke alarm Maryland law requires the replacement of any battery-only alarms with new smoke alarms powered by a sealed-in, long-life battery. All electric and hard-wired smoke alarms must be replaced if over 10 years old; hard-wired alarms must remain hard-wired.
13. Carbon monoxide alarms are required outside each sleeping area and on every level to include the basement in homes that contain any fuel burning equipment, wood burning appliance or have an enclosed attached garage.
14. Stairs of four or more risers must have a handrail on at least one side. Handrails must have minimum height of 34 inches and a maximum height of not more than 38 inches as measured vertically from the nosing (outside portion of stair treads).
15. Porches, balconies, decks or raised floor surfaces located more than 30 inches above the floor or grade below must have guardrails not less than 36 inches in height. Open sides of stairs must have a guardrail installed to prevent passage of an object four or more inches in diameter.
16. ADU must contain a room or space with the following equipment and facilities to store, prepare, and cook food. Cooking range (top burners and oven, at least 24 inches wide), storage cabinets, countertop space for food preparation, a standard-size refrigerator with freezer, sink connected to hot and cold running water, and approved sewer system installed and maintained as prescribed by applicable County and WSSC regulations.

Division of Community Development

Code Enforcement

Neighborhood Revitalization

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3701 FAX • www.montgomerycountymd.gov/dhca



17. ADU must be equipped with a complete bathroom fixture group, consisting of a flush water closet, lavatory basin, and bathtub or shower in good working condition, connected to hot and cold running water, and approved sewer system installed and maintained as prescribed by applicable County and WSSC regulations.
18. Every habitable room must have electric service and outlets or fixtures, or both. Every cooking area must be supplied with two circuits rated for at least 20-amp service capacity. GFCI outlets in bathroom and kitchen as required by building code.
19. Applicant shall provide copies of the finalized applicable building, electrical and plumbing permits from the Department of Permitting Services (DPS) and the Washington Suburban Sanitary Commission (WSSC). For more detailed information on DPS permit requirements and permit application guidance for ADUs, please visit <https://www.montgomerycountymd.gov/DPS/Resources/Files/RCI/ADUGuidelines.pdf>.

A re-inspection will be conducted on **January 12, 2024 at 10:00 AM**. If you have any questions or need additional information, please feel free to contact me.

Sincerely,



Michelle Hadrick
Housing Code Inspector III
(240) 777-3702

Michelle.Hadrick@montgomerycountymd.gov

cc: DHCA Licensing and Registration

Division of Community Development

Code Enforcement

Neighborhood Revitalization

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3701 FAX • www.montgomerycountymd.gov/dhca





Licensing And Registration

Director's report of findings on Accessory Apartment Class 3 license application

Application reference number	151423
Application Status	FC
Director's finding	FC
Date of finding	
Sign Pick-up Date	06/13/2023
Property address	7709 OLDCHESTER RD, BETHESDA, MD 20817
Structure type	Accessory Dwelling Unit Class 3 – New Detached
Owner	Flavia Favali

Primary residence	<input checked="" type="checkbox"/>	Apartment entrance passed	<input type="checkbox"/>
Document used to validate primary residency	MD Driver's License	Entrance location	Front
Year built	2023	Existed prior to 5/20/2013	
Parking passed	<input checked="" type="checkbox"/>	Address same as house	<input checked="" type="checkbox"/>
Driveway square footage (160 sq ft / car)	1279	Detached apartment requirement passed	
Parking spaces required by Zone, age of house, and accessory apartment law	3	Other residential uses passed	<input type="checkbox"/>
Size of apartment passed	<input type="checkbox"/>	Other residential uses	<input type="checkbox"/>
Application sent to OZAH		Housing Code	179719
ADUs permitted in Zone	<input checked="" type="checkbox"/>	Enforcement case number	
Apartment square footage	576	Application Sent to Code	06/08/2023
House square footage	2712	Code Initial Inspection	06/30/2023
		Code Final Inspection	

Individuals who disagree with the findings in the Director's Report or who believe that on-street parking is inadequate to accommodate the accessory apartment may object to the granting of the license and request a hearing with the Office of Zoning and Administrative Hearings (OZAH) within 30 days of the date the Director's Report of Findings is issued.

http://montgomerycountymd.gov/OZAH/Accessory_Apartments.html

The Office of Zoning and Administrative Hearings
Stella B. Warner Council Office Building
100 Maryland Avenue, Room 200
Rockville, MD 20850
240-777-6660
ozah@montgomerycountymd.gov