



Barney Rush, *Mayor*
Joel Rubin, *Vice Mayor*
Irene Lane, *Treasurer*
Rich Brancato, *Secretary*
Joy White, *Community Liaison*

NOTICE OF ADMINISTRATIVE VARIANCE REQUEST

To: Residents Abutting and Confronting 4300 Rosemary Street
From: David Walton, Town of Chevy Chase
Date: August 11, 2022
Re: Administrative Variance Notice

James and Heather Clessuras, 4300 Rosemary Street, are proposing to install retaining walls with an average height of 42 inches and a maximum height of 48 inches in the front yard of the property as shown on the attached site plan. The walls will be constructed of concrete block with a stone veneer, and the portions adjacent to the front property lines are proposed to be set back two feet from the sidewalk. Town building regulations prohibit the installation of retaining walls taller than 30 inches in a front yard; therefore, a variance is required.

The Town Code allows for administrative approval of this variance request. If no written objection to the approval of this variance is received in the Town Office by 5:00 p.m. on Friday, August 26, the variance will be granted. If the Town receives a written objection to the granting of the variance, a public hearing of the Council may be requested by the applicants following standard variance procedures.

If you object to the approval of this request or need additional information, please contact the Town Office by August 26, 2022.

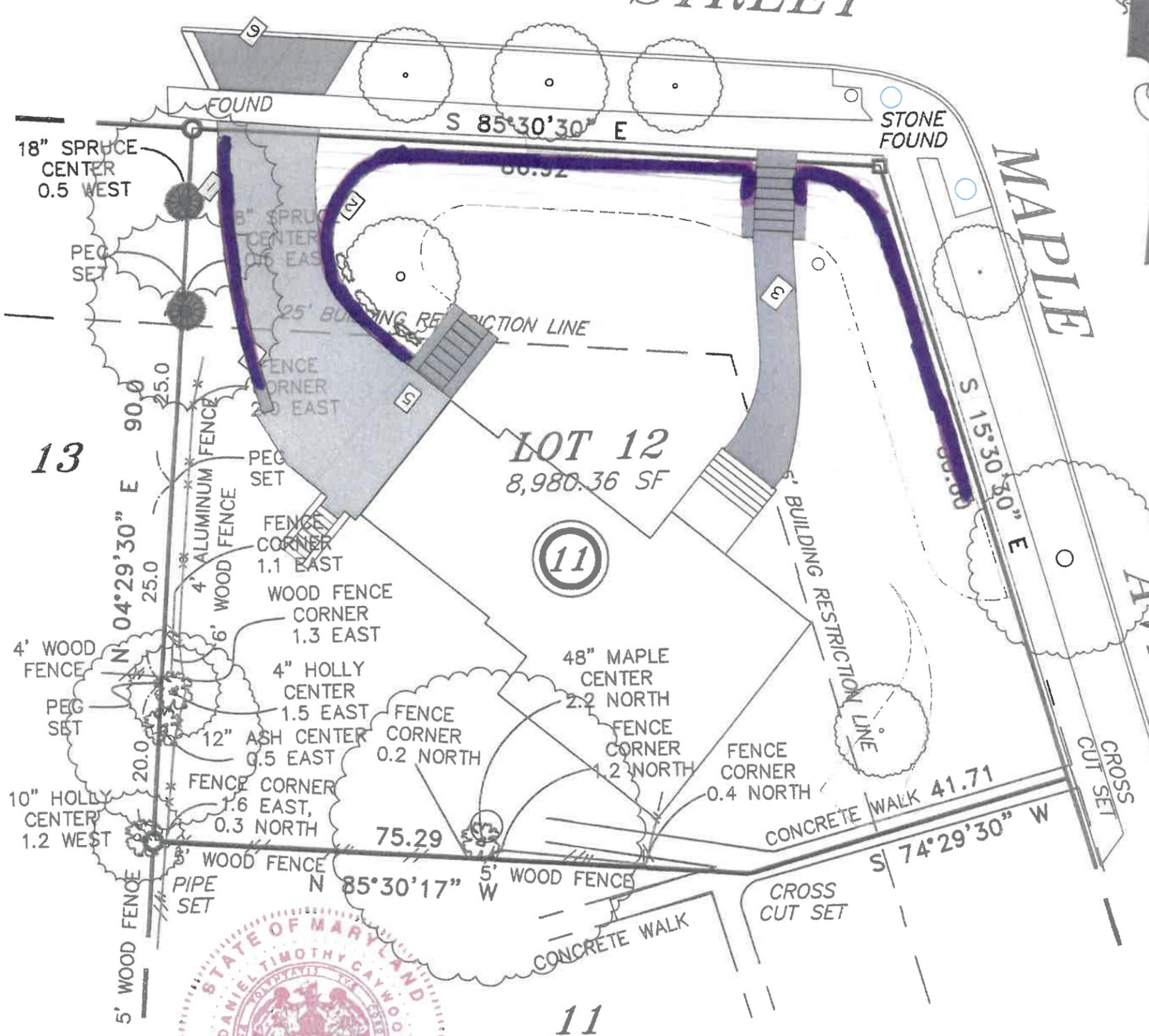
Attachments: site plan, wall detail

Sent To: 4212, 4213, 4301, 4302 Rosemary Street
6704 Maple Avenue

CC: Town Council

ROSEMARY STREET

MAPLE AVENUE
PLAT 350



- Proposed retaining walls

PLAT OF SURVEY

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF THE INFORMATION SHOWN HEREON ARE THE RESULT OF ACTUAL FIELD MEASUREMENTS.

MADDOX
Engineers & Surveyors
100 Park Avenue, Rockville, MD 20850
(301) 762-9001 www.maddoxinc.com

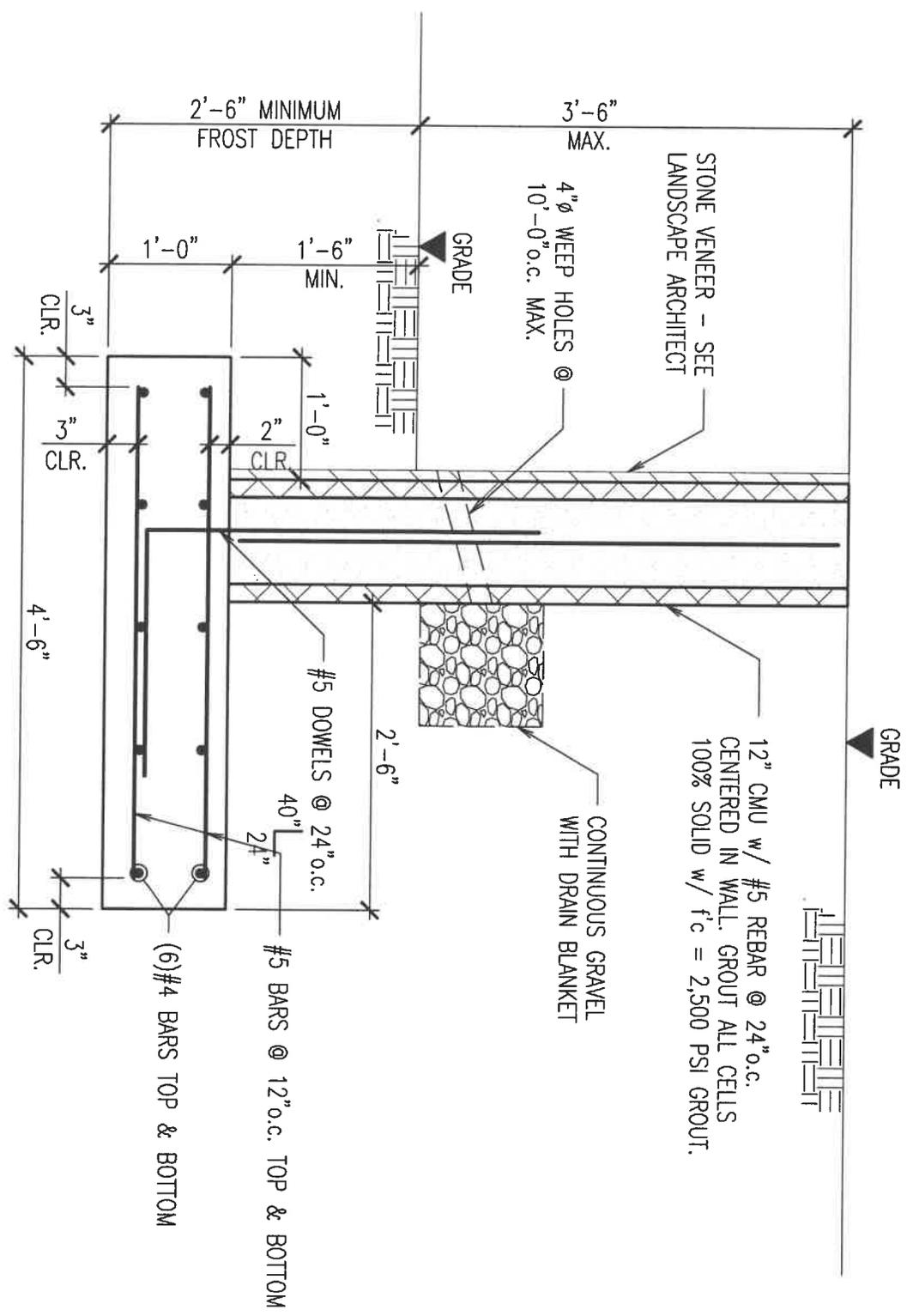
LOT 12
BLOCK 11
CHEVY CHASE SECTION 4
PLAT 350

ELECTION DISTRICT No. 07
MONTGOMERY COUNTY, MARYLAND

Daniel T. Caywood 3-25-11
DATE
DANIEL T. CAYWOOD REGISTERED
PROPERTY LINE SURVEYOR MD No. 406

FILE NAME: 11025PS	DWG. BY AIA	CHK. BY DANIEL T. CAYWOOD	FIELD DATE 3/21/2011	SCALE: 1" = 20'	JOB No. 11025
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WALLS SHALL HAVE VERTICAL CONTROL JOINTS AT NO GREATER THAN 3x THE WALL HEIGHT





Town of Chevy Chase
 4301 Willow Lane
 Chevy Chase, MD 20815

301-654-7144 (phone)
 301-718-9631 (fax)
townoffice@townofchevychase.org

Town Variance No.:

Application for a Variance from the Town of Chevy Chase Building Ordinance

Please ensure that you submit a complete application, as incomplete applications will not be reviewed. If you have any questions about the variance process, please call the Town Office at 301-654-7144.

Street Address: 4300 Rosemay Street

Date: 8-9-2022

Request For:

- Administrative Variance (See page 3 for applicability)
- Public Hearing (15 days public notification required, usually held on the 2nd Wednesday of each month).

Applicant Information:

Name Heather H. Clessura
 Address 4300 Rosemay Street
Chevy Chase City MD State 20815 Zip

Phone 301-654-8865
 Cellular Phone 202-641-0841
 E-Mail heather.clessura@comcast.com

Describe Variance Request: _____

Submittal Requirements

- Completed Town of Chevy Chase Variance Application.
- Variance Application Fee (\$200 for administrative variances, \$400 for all other variances).
- For all building variance requests, including projections, a boundary survey with a margin of error of one (1) inch or less is required.
- Surveys, plats or other accurate drawings showing boundaries, dimensions, area, topography and frontage of the property involved, as well as the location and dimensions of all structures existing and proposed to be erected, and the distances of such structures from the nearest property lines.
- Plans, architectural drawings, photographs, elevations, specifications or other detailed information depicting fully the exterior appearance of existing and proposed construction involved in the petition.
- All additional exhibits to be introduced at the public hearing.

Affidavit

Unless I am applying for an administrative variance, I hereby understand that I or an authorized representative will appear at the scheduled variance hearing as noted above. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the permit application are true and correct to the best of my knowledge, information and belief.

Applicant's Signature

Heather H. Clessura
 Print Name

8-9-2022
 Date

Applicant's Signature (if more than one homeowner)

Print Name

Date

This variance is requested because the property (please check all that apply):

- is exceptionally narrow.
- is exceptionally shallow.
- is unusually shaped.
- has unusual topographical features.
- has other extraordinary situations or conditions.

Please describe the condition(s) checked above:

The ^{yard} house grade is significantly higher than the adjacent sidewalk and the slope is an erosion and maintenance problem. Walls need to be ~42" high to get to the house grade

This variance is requested because conforming to the Town's Building Ordinance would (please check all that apply):

- be impossible.
- be impractical.
- cause peculiar or unusual practical difficulties.
- cause undue hardship.

Please describe the condition(s) checked above:

IN ORDER to manage the grade, walls need to be ~42" high - :

(You may attach additional pages as needed)

Please explain how the approval of this variance will not be detrimental to the use and enjoyment of neighboring properties:

Walls will be 2' off sidewalk for maintenance and safety, walls will prevent erosion as slopes are too steep for successful planting

Please explain how the request is the minimum reasonably necessary to overcome the exceptional condition that is causing the hardship claimed:

Walls are no taller than they need to be to address the grade, the existing walls are at similar heights & failing, new walls will provide uniformity & keep to the height of existing walls that are failing.

Please explain the reasons why the request does not cause substantial impairment to the intent, purpose and integrity of the general plan of the Town:

The plan addresses a deteriorating wall that will be constructed in a style that complements the architecture of the house, neighboring properties & town

In granting a variance, the Town Council may require such conditions, in lieu of full compliance, as will, in its judgment, secure substantially the objectives of the requirements so modified and protect the public interest. Any party aggrieved by the decision of the Town Council may appeal within thirty (30) days to the Circuit Court for Montgomery County and thereafter to the appellate courts of this state within the time and manner prescribed within the Maryland Rules of Procedure relating to administrative appeals.