

AA-6602 (a) & (b)
Administrative Special Permit

Replace:

- a) an existing asphalt driveway in the same location measuring a maximum of twenty (20) feet in width on private property; and
- b) an existing driveway and apron in the same location in the Newlands Street public right-of-way. The driveway in the public right-of-way would measure a maximum of thirteen and two-tenths (13.2) feet in width.

Ms. Judith E. ("Judi") Dash
Sole Trustee of the Sarah G. Dash 1996 Trust
and Judi's Trust
110 Newlands Street

CHEVY CHASE VILLAGE
NOTICE OF ADMINISTRATIVE SPECIAL PERMIT REQUEST

Please take notice that the Chevy Chase Village Building Officer and Village Manager will conduct an administrative review of a special permit application for the following:

APPEAL NUMBER AA-6602 (a) & (b)
110 NEWLANDS STREET
CHEVY CHASE, MARYLAND 20815

The applicant seeks an administrative special permit pursuant to Section 8-11 of the Chevy Chase Village Building Code to replace a) an existing asphalt driveway in the same location measuring a maximum of twenty (20) feet in width on private property; and b) an existing concrete driveway and apron in the same location in the Newlands Street public right-of-way. The driveway in the public right-of-way would measure a maximum of thirteen and two-tenths (13.2) feet in width.

The Chevy Chase Village Code Sec. 8-26 states:

Any driveway on private property may not exceed fifteen (15) feet in width without a Special Permit from the Board of Managers, except that the driveway in front of a two-car garage may extend the full width of the two-car garage, provided that such driveway does not exceed twenty (20) feet in length. An existing driveway that does not comply with the previous sentence may be replaced pursuant to sec. 8-11.

The Chevy Chase Village Code Sec. 25-5 states:

- (a) Any portion of a private driveway which crosses the public right-of-way may not exceed ten (10) feet in width without a Special Permit from the Board of Managers, except that the apron where the driveway connects with the street shall be allowed a five-(5) foot radius on each side of the driveway for a total entrance at the curbside not to exceed twenty (20) feet in width.

The Chevy Chase Village Code Sec. 8-11(b)(2) states:

- (b) The Building Officer and the Village Manager, by joint action, may grant variances and special permits for the following construction.
 - (2) Replacement of an existing driveway, provided that
 - (a) The replacement driveway is not wider than the existing driveway and
 - (b) The replacement driveway is in substantially the same location as the existing driveway.

Additional information regarding this case may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at www.chevychasevillagemd.gov or you may contact the office for this information to be mailed to you.

This notice was mailed to abutting and confronting property owners on the 28th day of July, 2014. Abutting or confronting property owners or any aggrieved resident may, within fifteen (15) days of the date the notices are issued, submit written comments and request that the application be submitted to the Board of Managers in accordance with Section 8-10 of the Chevy Chase Village Building Code.

Chevy Chase Village Office
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
301-654-7300

MAILING LIST FOR APPEAL AA-6602

**MS. JUDI DASH
110 NEWLANDS STREET
CHEVY CHASE, MD 20815**

Adjoining and confronting property owners	
Mr. George A. Boinis Or Current Resident 105 Newlands Street Chevy Chase, MD 20815	Mr. David Kushner Or Current Resident 111 Newlands Street Chevy Chase, MD 20815
Mr. & Mrs. R. Michael Sweeney Or Current Resident 112 Newlands Street Chevy Chase, MD 20815	Mr. Richard Ruda Or Current Resident 108 Newlands Street Chevy Chase, MD 20815
Mr. & Mrs. Robert Cullen Or Current Resident 117 East Melrose Street Chevy Chase, MD 20815	Mr. & Mrs. Patrick O'Brien Or Current Resident 115 East Melrose Street Chevy Chase, MD 20815
Mr. & Mrs. Kenneth Kaufman Or Current Resident 6311 Broad Branch Road Chevy Chase, MD 20815	

ES

I hereby certify that a public notice was mailed to the aforementioned property owners on the 28th day of July 2014.

**Ellen Sands
Permitting and Code Enforcement Coordinator
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815**

CHEVY CHASE VILLAGE

ESTABLISHED 1890

July 28, 2014

Ms. Judi Dash
110 Newlands Street
Chevy Chase, MD 20815

Dear Ms. Dash:

Please note that your request for an administrative review of a special permit application to replace the driveway at 110 Newlands Street is being reviewed by the Building Officer and Village Manager.

A public notice was mailed to abutting and confronting property owners on the 28th day of July 2014 and a sign was posted at the property. Abutting or confronting property owners or any aggrieved resident, within fifteen (15) days of the date the notices are issued, may submit written comments and request that the application be submitted to the Board of Managers in accordance with Section 8-11 of the Chevy Chase Village Building Code.

For your convenience, enclosed please find copies of the Public Notice and mailing list. Please contact the Village office if you have any questions.

Sincerely,



Ellen Sands
Permitting and Code Enforcement
Chevy Chase Village

enclosures

CHEVY CHASE VILLAGE

5906 Connecticut Avenue
Chevy Chase, Maryland 20815

Phone (301) 654-7300

Fax (301) 907-9721

ccv@montgomerycountymd.gov
www.chevychasevillagemd.gov

BOARD OF MANAGERS

MICHAEL L. DENGER
Chair

PATRICIA S. BAPTISTE
Vice Chair

RICHARD M. RUDA
Secretary

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Assistant Treasurer

ELISSA A. LEONARD
Board Member

VILLAGE MANAGER
SHANA R. DAVIS-COOK

LEGAL COUNSEL
SUELLEN M. FERGUSON

**Chevy Chase Village
Building Permit Application for
Driveways and Other Features at Grade**

See documents
* Note: I (Judi Dash)
am the trustee/
-executor of the estate
of Sara G Dash.
Permit No:

Property Address: 110 Newlands St Chevy Chase, md 20815
Resident Name: Judi Dash Daytime telephone: 216 410 8496 Cell phone: 216 410 8496 After-hours telephone: E-mail: judidash@aol.com
Primary Contact for Project: <input checked="" type="checkbox"/> Resident <input type="checkbox"/> Architect <input type="checkbox"/> Project Manager <input type="checkbox"/> Contractor* *MHIC/MD Contractor's License No. (required):
Primary Contact Information: Name: Judi Dash Daytime telephone: 216 410 8496 After-hours telephone: 216 410 8496 E-mail: judidash@aol.com
Check all that apply: <input checked="" type="checkbox"/> Driveway (If a new curb cut is required, note additional fee.) <input type="checkbox"/> Walkway <input type="checkbox"/> Patio, terrace, or deck at grade
Check all appropriate boxes: Feature is: <input type="checkbox"/> new; <input type="checkbox"/> an enlargement of an existing feature; and/or <input type="checkbox"/> being relocated. <input checked="" type="checkbox"/> Feature is a replacement in-kind and in the same location.
Description of project: Replace existing cracked driveway exactly as it was & has always been.
<i>To be completed by Village staff:</i> Is this property within the historic district? Yes <input type="checkbox"/> No <input type="checkbox"/> Staff Initials: _____ Date application filed with Village: _____ Date permit issued: _____ Expiration date: _____

Guidelines for Building, Replacing and Maintaining Driveways

Village Code states that any person intending to install, replace or alter a driveway, or any material part thereof, must first obtain a Building Permit from the Village office. (Residents within the Historic District must also obtain a Historic Area Work Permit; please contact the Historic Preservation Commission directly.)

Driveways are regulated in three areas: (1) the portion of the driveway located on private property, (2) the portion of the driveway that crosses the public right-of-way, and (3) the driveway apron, which is the portion of the driveway that meets the public street. Please refer to the illustration below for an example of these components.

(1) Driveways on Private Property

Driveways on private property may be installed using any material the resident chooses (although residents within the Historic District must consult with HPC), provided that the driveway does not exceed fifteen feet (15') in width. Village Code allows residents to install a wider garage apron—the section of a driveway just forward of a garage—for two-car garages. The apron in front of a two-car garage may extend the full width of the two-car garage for a distance up to twenty feet (20') from the face of the garage. The Code applies this accommodation only for two-car garages.

(2) Driveways on the Public Right-of-Way

All driveways must cross the public right-of-way to access the street, but where private property ends and the public right-of-way begins ends is not always consistent from street to street, and may even vary from block to block (as discussed above). The first step is to determine where the right-of-way begins in front of your property. Your proposed driveway cannot exceed ten feet (10') in width where the driveway crosses the right-of-way. Also, if your driveway (whether new or replacement) crosses or intersects with a public sidewalk, the sidewalk material must be restored/maintained across the driveway so as to create a continuous public sidewalk of consistent material type.

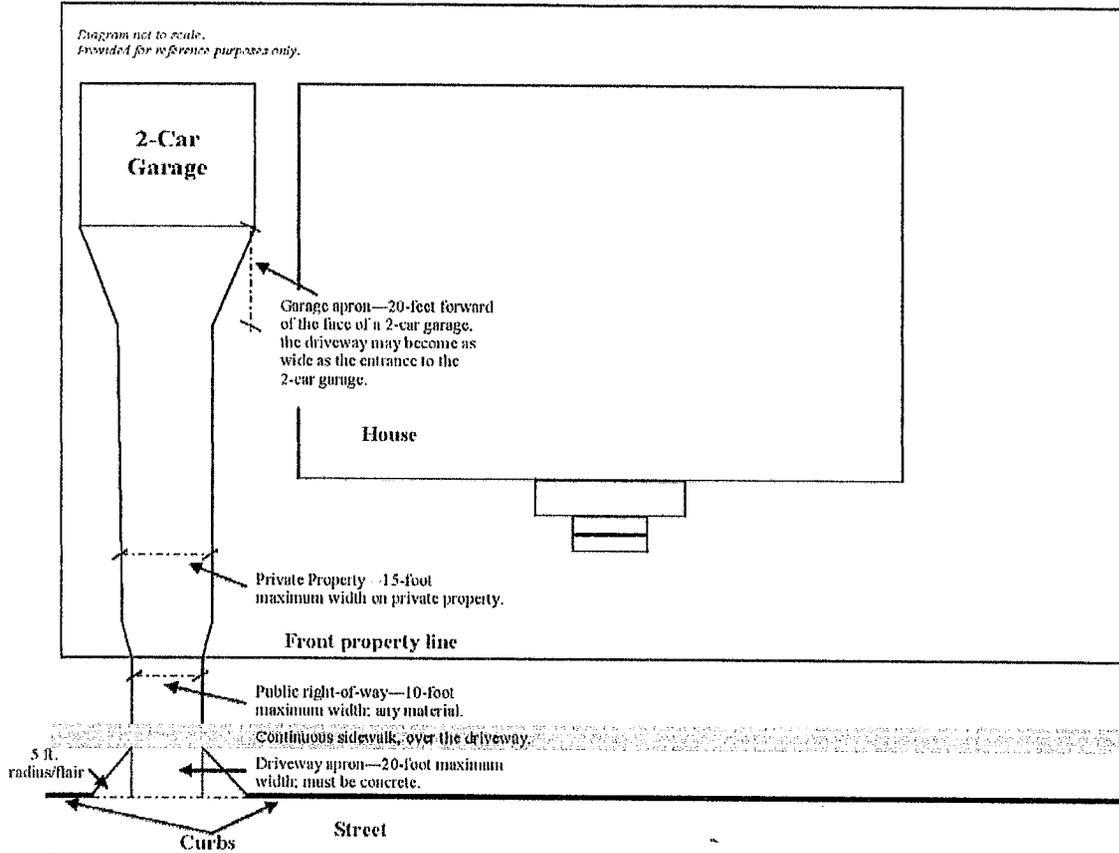
(3) Driveway Aprons

The driveway apron is the portion of the driveway that meets the public street. In addition to the ten foot (10') maximum width of the driveway where the driveway crosses the public right-of-way, the Village Code allows a five foot (5') radius on either side to establish the driveway apron, thereby allowing a maximum width at the curb of twenty feet (20'). While driveways on private property may be installed in any material or color that residents choose, the Village Code specifies that the driveway apron must be installed using concrete in accordance with current Montgomery County standards. Thus, no matter the material used for the driveway itself, the apron must be concrete.

Village Code limits the number of curb cuts permitted per property to one. Accordingly, residents who wish to install a circular driveway will need to request a variance from the Board of Managers.

Unlike other improvements in the public right-of-way, a **License to Use the Public Right-of-Way** is not required to install or replace driveways or driveway aprons. Replacement of a driveway apron is the sole responsibility of the adjoining property owner, not the Village.

Example:



* Ellen - we paid all these fees 5 years ago so should not be fees
Building Permit Application Filing Requirements
 Application will not be reviewed until the application is complete
 Thanks,
 Judi Dash

- Copy of stamped approved plans from Montgomery County.
- This application form, signed by resident.
- Boundary Survey
- Site Plan (see: Village Site Plan Checklist to ensure completeness) showing exact location of existing and proposed features. Did 5 yrs ago
- Tree Preservation Plan requested of Village arborist (see: Village Tree Inspection Request form). All required tree protections must be fully installed before any work begins. Did 5 yrs ago
- Filing Fee (due at time of application). Fee schedule is listed in Chapter 6 of the Village Code. Paid 5 yrs ago
- Damage deposit or performance bond (due when permit is issued). Amount will be set by Village Manager.

Once this permit application is complete, the Village Manager will review the application and accompanying documents and, under most circumstances, act on the application within 5 to 10 working days. If the Montgomery County permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed. No signs advertising any service provider may be posted on the work site.

I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Montgomery County Zoning Code, the Village Code including Urban Forest code, and any covenants and easements on the subject property.

Applicant's Signature: Judith Ellen Dash **Date:** 7/25/2014

For Use By Village Manager	Application approved with the following conditions:
For Use By Village Manager	Application denied for the following reasons:

DENIED

JUL 28 2014

Chevy Chase
Village Manager

Filing Fees (due when application submitted)	Checks Payable to:
Permit Filing Fee: <input type="checkbox"/> \$30.00 (if new, enlarged or relocated) <input checked="" type="checkbox"/> \$15.00 (if a replacement in-kind and in the same location) <input type="checkbox"/> \$50.00 for new curb cut. <input type="checkbox"/> \$50.00 for construction in the public right-of-way.	Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
Tree Preservation Plan Fee: <input checked="" type="checkbox"/> \$250.00 <i>previously assessed</i> <input type="checkbox"/> Not required for this project	
TOTAL Fees: <i>previously assessed</i>	Date: 7/28/14 Staff Signature: <i>[Signature]</i>
Damage Deposit/Performance Bond <input type="checkbox"/> \$ _____ <input type="checkbox"/> Waived by Village Manager	Date: Village Manager Signature:

For Village Staff use:

Field file for inspections by Code Enforcement Officer has been created: Yes (Date: _____)

Describe the basis for the special permit request (attach additional pages as needed):

Describe the reasons why approval of the special permit would not adversely affect the public health, safety or welfare or the reasonable use of adjoining properties:

We are simply replacing our cracked driveway with a new not-cracked driveway in exactly same foot print, with no modifications would increase health, safety + welfare for all concerned, especially neighbors

Describe the reasons why the special permit can be granted without substantial impairment of the intent and purpose of Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*:

Simply replacing original driveway with exact duplicate in same foot print with no modifications, cracked + broken driveway ugly, unsafe and nuisance

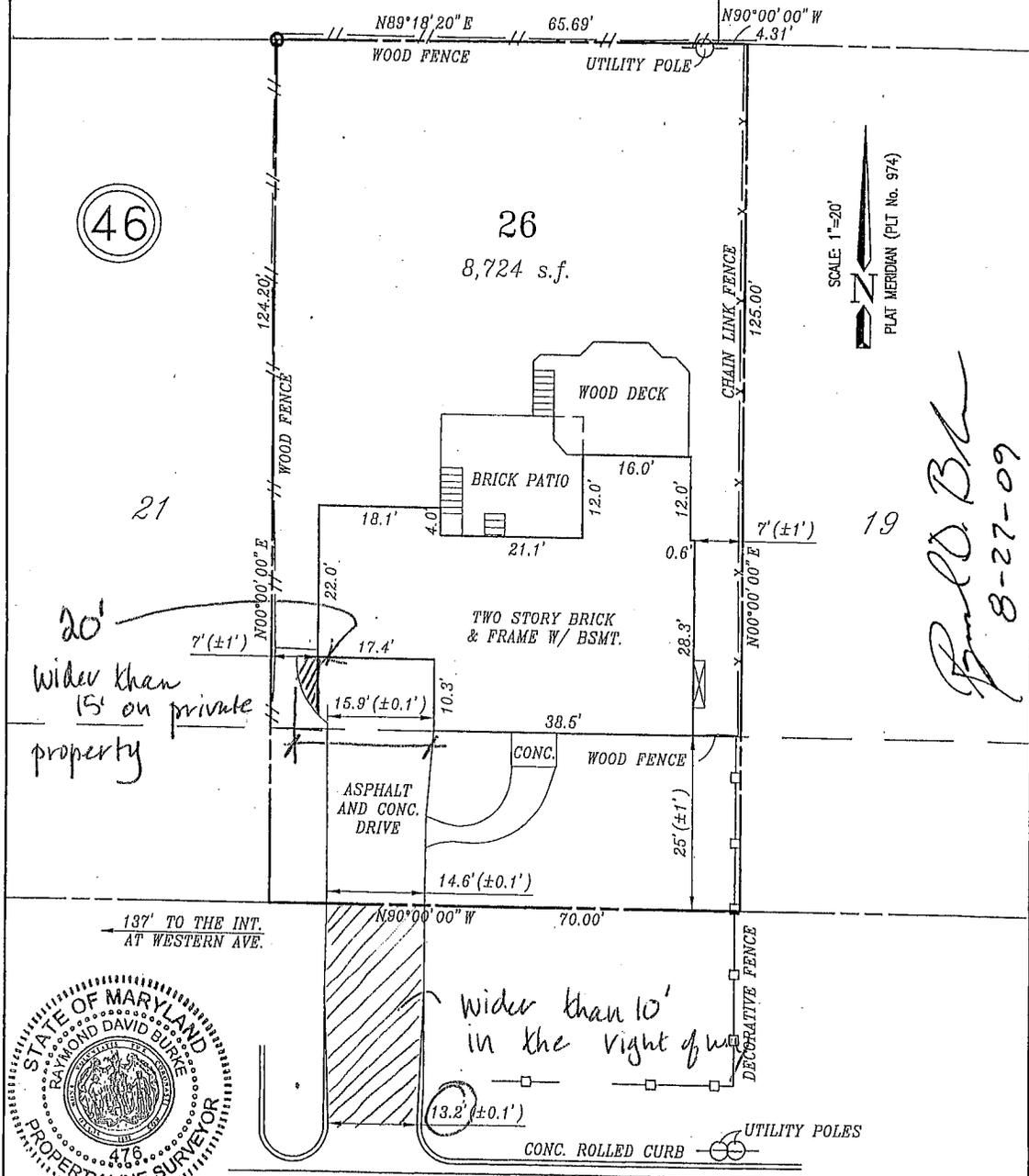
In exercising its powers in connection with a special permit request, the Chevy Chase Village Board of Managers may reverse or affirm, wholly or partly, or may modify the requirement, decision or determination as it deems appropriate.

Special Permit Filing Fees	Checks Payable To: Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
Per Village Code Sec. 6-2(a)(24): <input type="checkbox"/> \$300.00 for new construction. <input checked="" type="checkbox"/> \$150.00 for replacing existing non-conformities. <input type="checkbox"/> \$2,250.00 for demolition of main building. <input type="checkbox"/> \$300.00 for demolition of accessory building or structure. <input type="checkbox"/> \$300.00 for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way. Fee Paid: <i>mainly assessed</i>	Date Paid: 7/28/14 Staff Signature: <i>[Signature]</i>
	Approved to Issue Building Permit per Board Decision Signed by the Board Secretary on: Date: _____ Signature: _____ Village Manager

LOCATION DRAWING
 110 NEWLANDS STREET
 LOT 20, BLOCK 46
CHEVY CHASE VILLAGE
 BETHESDA (7th) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

38

39



46

26
 8,724 s.f.

SCALE 1"=20'
 PLAT MERIDIAN (PLT No. 974)

20'
 Wider than
 15' on private
 property

Paul D. Burke
 8-27-09

Wider than 10'
 in the right of way



NEWLANDS STREET
 (100.55' R/W)

"THE SUBJECT DWELLING LIES IN ZONE "X" AREA DETERMINED TO BE OUT SIDE THE
 0.2% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAPS",
 LOCATION SURVEY: 8/25/2009 MAP No. 24031C0455D EFFECTIVE DATE SEPTEMBER 29, 2006

SURVEYORS CERTIFICATE
 I hereby certify that the position of the existing improvements shown hereon have been carefully established under my supervision using accepted land surveying practices. The plan is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing. The plan is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements. The plan does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing. This drawing was prepared w/o the benefit of a title report. This drawing and the survey on which it is based are in compliance with COMAR Reg. 9.13.06.06 and 9.13.06.12.

8-27-09 *Paul D. Burke*
 RAYMOND D. BURKE
 REG. PROPERTY LINE SURVEYOR
 MD. NO. 476

CPI Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
 1781 Elton Rd., Ste. 309 Silver Spring, MD 20903 301.434.7000 Fax: 301.434.9394
 www.cpija.com • Gaithersburg, MD • Frederick, MD • Stevensville, MD • Fairfax, VA

REFERENCE	Drawn by JAP	Checked by RDB
Plat Book 15	Date 8/27/2009	Record No.
Plat No. 974	Scale 1" = 20'	39-050-88.20 46