

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
MONTGOMERY COUNTY GOVERNMENT
100 MARYLAND AVENUE, ROOM 200
ROCKVILLE, MARYLAND 20850
(240) 777-6660

OZAH No. AAO- ADO 23-06
Date Filed 6/28/2023
Hearing Date 7/27/2023
Time 9:30 a.m.

OBJECTION TO DHCA DECISION REGARDING ACCESSORY APARTMENT

Pursuant to Montgomery County Code Sections 29-16, 29-19 and 29-26, OBJECTION is hereby made to the decision and/or findings of the Department of Housing and Community Affairs (DHCA), decided on _____, regarding

Accessory Apartment License Application No. 151423, filed on JUNE 8, 2023

License Applicant: FLAVIA FAVALI

Address: 7709 OLD CHESTER RD BETHESDA 20817 301 320 3358
Street City & Zip Code Telephone No.
E-mail Address FLAVIA4222@COMCAST.NET

Objector: DAN P. CHAPPEL
Address: 7707 OLD CHESTER RD BETHESDA 20817 301 310 2824
Street City & Zip Code Telephone No.
E-mail Address DPCHAPPEL@GMAIL.COM

Proposed Use (Check one):
☒ Attached Accessory Apartment () Detached Accessory Apartment

Description of Property for Proposed Use:
Address: 7709 OLD CHESTER RD, BETHESDA, MD 20817

Lot: _____ Block: _____ Parcel No.: _____; Subdivision _____

Size of Property: (In acreage or square feet) 19500 SF Current Zoning: R-90

Number of Off-Street Parking Spaces: _____

Addresses of any other accessory apartments within 500 feet of the subject site, listing their distances from the subject site:

FLAVIA USES PROPERTY AS RENTAL PROPERTY LEASING
INDIVIDUAL ROOMS TO MULTIPLE TENANTS -

License Applicant's Present Legal Interest in Subject Property (Check one):

☒ Owner ☐ Other (describe) _____

Owner of Property (If not License Applicant):

Name _____ Address _____ Zip Code _____

Has any previous application involving this property been made to this office, or to the Board of Appeals, by this applicant, or by anyone else to this applicant's knowledge? _____ If so, give Case Number(s): _____

Basis for Objection (attach additional sheets as needed):

APPLICANT DOES NOT LIVE AT PROPERTY. SHE LEASES INDIVIDUAL
ROOMS. SHE DOES NOT STAY AT PROPERTY. THERE ARE COURT RECORDS OF
TENANTS COMPLAINTS. SHE HAS ROOMS POSTED ONLINE FOR RENT. HER APPLICATION
I hereby affirm that all of the statements and information contained in or filed with this Objection are true and correct. IS FRAUDULENT.

Signature of Attorney - (Please print next to signature)

Signature of Objector(s) - (Print next to signature)

Address of Attorney _____
Attorney's E-mail Address _____

Telephone Number 301 310 2824

- Flavia applied (application # 151423) for an additional dwelling unit (ADU) on June 8, 2023.
- Per my understanding, to qualify for an ADU, the house must be the owner's primary residence. All of Flavia's neighbors know that she rents out individual rooms in the house to multiple (unrelated) tenants on a monthly basis. There are multiple records to substantiate this; however, I've attached two online postings where she is renting out individual rooms - one posting as recent as June 2023 and one from 2015 (both attached) to show a history of her renting out this home. The June 2023 posting is for 1 bdr and for tenant to pay 1/5th the utilities - implying multiple tenants in the residence sharing costs.
Link: <https://www.apartments.com/7709-oldchester-rd-bethesda-md/tkty4lb/>
- Flavia provided her DL as evidence that 7709 is her primary residence - Flavia has told me on multiple occasions she does not live at 7709 and only uses the address to enable her kids/grandchildren to attend the zoned public schools. I do not know as fact that her kids/grandchildren attend the public schools - only what Flavia has told me. I do know from observations of the comings and goings at 7709, and speaking with multiple tenants over the years, that Flavia does not live at the property.
- Flavia has installed exterior doors on the side of her home for the tenants to access their space in the house, running the property as a multi-unit rental property - I doubt that 7709 Oldchester is zoned for this use.
- In January 2021, one of Flavia's tenants abandoned a white moving truck on the street. Per Flavia, "the white truck belongs to a renter she [Flavia] is trying to get evicted. She [Flavia] filed an emergency eviction notice recently and has been trying to get him out for a while. He has not paid rent since October [there should be a court filing to substantiate]"
- February 2022, one of Flavia's tenants abandoned a van with slashed tires on the street. I believe the county was notified and the vehicle was eventually removed.
- Multiple instances of tenants complaining about Flavia's rental conditions over the years.

If you have any questions about any of the above, please don't hesitate to reach out. I do not believe allowing Flavia to add an ADU is in the best interest of the neighborhood.

Thank you.
Dan

6/24/23, 2:44 PM

7709 Oldchester Rd, Bethesda, MD 20817 - House for Rent in Bethesda, MD | Apartments.com

Houses / Maryland / Montgomery County / Bethesda /
7709 Oldchester Rd

2 Weeks /

POSTED DATE



7709 Oldchester Rd

Bethesda, MD 20817

Kenwood Park

Check Back Soon for
Upcoming Availability

Alert Me About Listings

Beds	Baths	Average SF
1 Br	1 Ba	3,000 SF

About This Property

Fully furnished monthly bedroom and bath located less than a five minute walk from the intersection of Bradley Blvd and Wilson Lane. House has large living/dining/porch common areas, fully equipped kitchen, washer/dryer, internet, cable, private back yard, handicapped accessible driveway and more.
Bedroom has bed, dresser, desk, flat screen, dresser, desk, handicapped accessible bathroom and more.
Monthly rent at 1100 a month + 600 deposit + 1/5 total utilities

7709 Oldchester Rd is a house located in **Montgomery County** and the **20817** ZIP Code.

Amenities

Washer/Dryer
Air Conditioning
Smoke Free
Fireplace
Dishwasher
Kitchen
Furnished
Laundry Facilities
Furnished Units Available
Porch
Yard

"1/5 TH UTILITIES"

↳ FLAVIA HAS
MULTIPLE TENANTS.
USUALLY 3 TO 5
AT ANY GIVEN
TIME!

Walkability Near 7709 Oldchester Rd Bethesda, MD 20817

Car-Dependent	11	Some Transit	40
Walk Score®	Out of 100	Transit Score®	Out of 100

This area is considered a car-dependent area and most errands will require a car.

You'll likely want a car when living in this area since it has few transit options.

Bikeable	50	Active	80
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Bike Score®

Out of
100

Soundscore™

Out of
100

While there's some bike infrastructure in this area, you'll still need a car for many errands.

Traffic:
ActiveAirport:
CalmBusinesses:
CalmScores provided by [Walk Score](#) and [HowLoud](#)

Points of Interest

Time and distance from 7709 Oldchester Rd.

Shopping Centers

Distance

4927 Saint Elmo Ave	Drive: 5 min	1.5 mi
Bethesda Row	Drive: 4 min	1.6 mi
The Shoppes of Bethesda	Drive: 4 min	1.8 mi

7709 Oldchester Rd has 3 shopping centers within 1.8 miles, which is about a 4-minute drive. The miles and minutes will be for the farthest away property.

Parks and Recreation

Distance

McCrillis Gardens	Drive: 6 min	2.3 mi
Glen Echo Park	Drive: 6 min	2.6 mi
Locust Grove Nature Center	Drive: 6 min	2.6 mi
Audubon Naturalist-Woodend S...	Drive: 8 min	3.1 mi
George Washington Memorial Pa...	Drive: 18 min	8.3 mi

7709 Oldchester Rd has 5 parks within 8.3 miles, including McCrillis Gardens, Glen Echo Park, and Locust Grove Nature Center.

Military Bases

Distance

Naval Observatory	Drive: 14 min	6.7 mi
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7709 Oldchester Rd is 6.7 miles and a 14 minutes from Naval Observatory.

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