

**February 10, 2026**  
**FINDINGS OF FACT AND RESOLUTION**  
**BOARD OF ZONING APPEALS**

The APPEAL of Bethesda LLC for a dimensional variance from Section 22.38 (7)(c) of the zoning code. If granted, the variance will allow for the reconstruction of the manufacturing building at 576 Elizabeth Street, 6" from the rear lot line, where a rear yard setback of not less than twenty-five (25) feet is required.

- 1) **That there are exceptional or extraordinary circumstances or conditions applying to the property in question, or to the intended use of the property, that do not apply generally to other properties or classes of uses in the same zoning district. (Sec. 22.68(3)(b)1a Zoning Code)**

Affirm (it is exceptional) \_\_\_\_\_

Dissent (it is general or not exceptional) \_\_\_\_\_

- 2) **That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and in the same vicinity. (Sec. 22.68(3)(b)1 b Zoning Code)**

Affirm (equal property rights could otherwise be enjoyed) \_\_\_\_\_

Dissent (the same property rights can be enjoyed without variance) \_\_\_\_\_

- 3) **That a variance is not being requested solely on the basis of economic gain or loss, and that self-imposed hardships are not being considered as grounds for the granting of a variance. (Sec. 22.68(3)(b)1c Zoning Code)**

Affirm \_\_\_\_\_

Dissent \_\_\_\_\_

- 4) **That the authorizing of such variance will not be of substantial detriment to adjacent property and will not materially impair the purpose and intent of the Zoning Code or public interest. (Sec. 22.68(3)(b)1 d Zoning Code)**

Affirm (adjacent property and/or public interest will not be detrimented) \_\_\_\_\_

Dissent (adjacent property and/or public interest will be impaired if the variance is granted) \_\_\_\_\_

On the basis of the foregoing Findings of Fact, the Board took the action indicated in the minutes.

ATTEST \_\_\_\_\_  
Secretary to the Board