

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue, Room 217
Rockville, Maryland 20850
(240) 777-6600**

<http://www.montgomerycountymd.gov/boa/>

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, April 27, 2016

ACTION ITEMS:

1. (a) Minutes of April 13, 2016, Worksession

Action: Approved, (JHP/SBB, 5-0).

(b) Minutes of April 20, 2016, Worksession

Action: Approved, (JHP/ESR, 5-0).
2. **A-6491, Petition of Robert Millstone et al.** (Administrative Appeal). Motion to Dismiss and For Summary Disposition, filed on behalf of Montgomery County, and Opposition to Montgomery County's Motion to Dismiss and for Summary Disposition and Motion to Stay Pending Issuance of Permit on behalf of Appellant.

Action: Granted Summary Disposition, (JHP/ESR, 5-0).
3. **CBA-544, CBA-544-A; CBA-544-B; CBA-663; CHA-1359, CBA-1989; CBA-2073, S-41; CBA-2110, Petition of Government Employees Insurance Company** (Off-street Parking). Letter to the Board from Terence A. Perkins, requesting an administrative modification of the special exception. Also included is a letter of opposition to the modification from Werner and Christa Linder, Jose Valado, Alan Bender and Vanesa Brown.

Action: Denied the administrative modification, (JHP/CJS, 5-0).
4. **CBA-1581; CBA-1581-A; CBA-2156; S-44, Petition of New Hampshire Avenue, LLC**, (Nursing Home). Letter to the Board from Mark A. Yost, Jr., Esquire, Chief Operating Officer, requesting an administrative modification of the special exception. [Large Exhibits: (a) site plan, landscape and lighting and signage plan, (b) floor plan]. Also included are letters to the Board from Lisa Elder and Robin Madden, opposing the modification.

Action: (a) Re-opened the record to received Mr. Yost's letter; (b) denied the administrative modification, (JHP/CJS, 5-0).

5. **CBA-1730, Petition of Stanley Rakusin and Arthur P. Becker** (Apartment Hotel). Letter to the Board from Robert R. Harris, Esquire, requesting reconsideration of the Board's revocation of special exception CBA-1730, and asking that the special exception be reinstated.

Action: Deferred (consensus).

6. **S-397, Petition of A.W. Landscapes** (Horticultural Nursery and Commercial Green Houses). Memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services, requesting that the special exception be revoked as abandoned. Also included is confirmation from the special exception holder.

Action: Revoked the special exception as abandoned, (SBB/BG, 5-0).

7. **S-577 and S-274-D, Petition of Suburban Hospital**, (Hospital). Memorandum to the Board from James Nichols, Manager, SPES, Department of Permitting Services, providing a comprehensive report for the DPS investigation of the complaint filed by the Huntington Terrace Citizens Association regarding two separate special exception uses held by the Hospital.

Action: (a) Re-opened the record to receive Mr. Nichols' memorandum; (b) schedule hearing, (SBB/JHP, 4-1-BG).

8. **S-1569, Petition of Robert W. and L. Christine Stoddard**, (Home Occupation). Memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services, indicating that the special exception use now qualifies as "no impact" use, and thus no longer requires a special exception.

Action: Revoked special exception as no longer needed, (BG/JHP, 5-0).

9. **S-1610, Petition of Marc Weinstein** (Home Improvement, repair and construction). Memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services, indicating that the special exception use now qualifies as "no impact" use, and thus no longer requires a special exception.

Action: Revoked special exception as no longer needed, (SBB/ESR, 5-0).

10. **S-2668, Petition of Taiwan Culture Center**, (Service Organization). Letter to the Department of Permitting Services and Department of Environmental Protection, and to the Board from Carol L. Kosary and Paul S. Posey, setting forth a complaint about the operation of this special exception.

Action: Re-opened the record to receive Ms. Kosary and Mr. Posey's letter, (JHP/ESR, 5-0).

PENDING ITEM:

11. **CBA-2047, Petition of Potomac Place Limited Partnership** (Off-street Parking). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, in response to BOA Resolution of November 19, 2015. Item deferred for additional information, (consensus). [W/S 1/6/16].

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