

**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, September 21, 2016

ACTION ITEMS:

1. Minutes of September 7, Worksession.

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

2. **CBA-1174-D, Petition of Holton-Arms School** (Private Educational Institution). Letter to the Board from Susanna A. Jones, Head of School, submitting the annual report.

Action: Re-opened the record to receive Ms. Jones' letter with attachments, (JHP/ESR, 5-0).

3. **CBA-1581, CBA-1581-A, CBA-2156, S-44, Petition of New Hampshire Avenue, LLC** (Nursing Home). Letter to the Board from Stuart R. Barr, Esquire, requesting transfer of the special exception.

Action: Granted the transfer of the special exception, (SBB/BG, 5-0).

4. **CBA-2151, Petition of Exxon Company** (Automobile Filling Station). Memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services requesting that this special exception be revoked as abandoned; confirmation from the special exception holder was requested but has not been received. Also included is evidence that the site is being redeveloped as a CVS.

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

5. **S-1343-A, Petition of Petroleum Marketing Investment Group, LLC.** (Automobile Filling Station). Letter to the Board from Nancy P. Regelin, Esquire, requesting the transfer of the special exception and changes to the existing sign faces to reflect the new holder.

Action: Granted the transfer of the special exception, (JHP/ESR, 5-0).

6. **S-1547, Petition of Sa Kwon** (Automobile Tune-up and Service Shop). Memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services, requesting that this special exception be revoked as abandoned. Ms. Vargas states that the property is currently owned by the Housing Opportunities Commission of Montgomery County, and has a certified site plan for residences, retail and office space.

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

7. **S-2213, Petition of Ancar Associates** (Drive-in Restaurant). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, requesting that this special exception be revoked as the use is permitted by right; confirmation from the special exception holder was requested but has not been received.

Action: Revoked the special exception as the use is permitted by right, (JHP/BG, 5-0).

8. **S-2290, Petition of Kuhn Tree Service (by Laura C. Hultz)** (Horticultural Nursery or Related Use). Letter to the Board from Marcio Freitas, Manager-Owner of Pampas Garden Landscaping LLC, requesting transfer of the special exception. Also included is a letter from current special exception holder, consenting to the transfer.

Action: Granted the transfer of the special exception, (JHP/ESR, 5-0).

9. **S-2668, Petition of Taiwan Culture Center** (Service Organization). Email from Carol Kosary, Cecelia English and David Kyle, setting forth a complaint about the Taiwan Culture Center's Open House. Because this email was sent directly to DPS, there is no need to refer this complaint. Also included are emails from Jennyffer Vargas, DPS, from Carol Kosary, and from Veronica Vasquez, Enitza Rodriguez and Juan Rodriguez. All emails are produced in a single, continuous chain.

Action: Re-opened the record to receive the above mentioned emails; (ESR/BG, 5-0).

10. **S-2703, Petition of Bijan Mashayekhi** (Accessory Apartment). Letter to the Board from Mohammed Reza Memarzia, requesting transfer of the special exception. Also included is proof of ownership.

Action: Granted the transfer of the special exception, (SBB/JHP, 5-0).

PENDING ITEMS:

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].
12. **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. Item deferred (consensus). [W/S: 4/27/16].
13. **S-1750, Petition of Optima Learning Systems, LLC** (Child Day Care Center). Letter to the Board from Beenish Siddique requesting an administrative modification of this special exception. [Large Exhibits: floor plans]. Item deferred (consensus). [W/S: 9/7/16].
14. **S-2250, S-1211, S-1211-B, Petition of KCJ Properties, LLC, and O.G. Limited Partnership** (Private Educational Institution). Letter to the Board from Joyce Saadi, requesting reconsideration of the Board's decision dated July 29, 2016, which modified S-2250 and revoked S-1211 and S-1211-B, or in the alternative, a hearing. Item deferred (consensus). [W/S: 9/7/16].

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