

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
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Rockville, Maryland 20850
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<http://www.montgomerycountymd.gov/boa/>

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing

Wednesday, July 25, 2018

ACTION ITEMS:

1. Minutes of June 27, 2018, Worksession.

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

2. **A-6528, Petition of Anne Stukes** (Variance). Letter to the Board from the Petitioner requesting an extension of time to implement her variance.

Action: Granted one year extension of time to implement her variance, (ESR/SBB, 5-0).

3. **A-6550, Petition of Larry J. and Sharon J. Crews** (Administrative Appeal). Letter to the Board from the Appellants requesting that the Board make corrections to and re-issue its Opinion dated June 15, 2018. Also included is notification from the Circuit Court of the Appellants' Circuit Court filing.

Action: The Board noted that they have received the Crews' letter and that they have no jurisdiction because of the appeal pending in Circuit Court.

4. **A-6566, Appeal of Malcolm Burke** (Administrative Appeal). Request for Rehearing and Reconsideration and Motion for Oral Argument regarding the Board's July 16, 2018, decision from Appellant.

Action: Denied the Request for Rehearing and Reconsideration and Motion for Oral Argument, (JHP/ESR, 5-0).

5. **A-6575, Petition of FM Group Inc. (dba Francisco Landscaping)** (Variance). Letter to the Board from Sean P. Hughes, Esquire, requesting that the variance application submitted by his client be consolidated for hearing with a related conditional use application, and that both be heard by the Hearing Examiner, in accordance with Board Rule 1.6.b.1. In addition, Mr. Hughes requests that the variance fee be waived, in accordance with Board Rule 1.6.b.2.

Action: Granted request for consolidation of the cases and referred to OZAH, and waived the variance fee, (KF/ESR, 5-0).

6. **CBA-2212-A, Petition of Flower Valley Bath and Racquet Club, Inc.** (Community Swimming Pool). Letter to the Board from Randy Stone, President, submitting the Annual Report.

Action: Re-opened the record to receive Mr. Stone's letter, (JHP/BG, 5-0).

7. **CBA-2643, Petition of Audubon Naturalist Society** (Eleemosynary and Philanthropic Institute). Letter to the Board from Jody S. Kline, Esquire, requesting that four sheets comprising the "Topographic Worksheet" and a separate drawing entitled "Boundary Survey part of a Tract of land Called 'Clean Drinking'" be incorporated in the Board's files for this special exception.

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

8. **CBA-2948, Petition of Sunoco, Inc.** (Automobile Filling Station). Letter to the Board from Stephen J. Orens, Esquire, and Peter E. Ciferri, Esquire, requesting an administrative modification to this special exception. [Large Exhibit: site plan]

Action: Granted administrative modification of this special exception, (SBB/BG, 5-0).

9. **S-550-A [S-550; CBA-2998], Petition of Terri L. Downs J. T. Interiors, Inc.** (Antique Store). Memorandum to the Board from Barbara Cox, Inspector, DPS, requesting revocation of this special exception as abandoned. Also included is confirmation of the abandonment from the special exception holder, and a Home Occupation Certificate for a hair salon and spa services use at the subject property.

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

10. **S-567, Petition of Inwood House** (Eleemosynary and Philanthropic Institution). Letter to the Board from Melisa L. Bell, Administrator, requesting an administrative modification of this special exception. [Large Exhibits: Survey plat and canopy plan].

Action: Granted administrative modification of this special exception, (ESR/BG, 5-0).

11. **S-687-F and S-687-G, Petition of Bullis School** (Private Educational Institution). Letter to the Board from Soo Lee-Cho, Esquire, requesting an administrative modification of this special exception.

Action: Granted administrative modification of this special exception, BG/SBB, 5-0).

- 12. S-1456; S-1456-A; S-1456-B, Petition of Concord Hill School** (Private Educational Institution). Letter to the Board from Stuart R. Barr, Esquire, requesting an administrative modification of this special exception.

Action: Granted administrative modification of this special exception, (JHP/KF, 5-0).

- 13. S-2219, Petition of Mary L. Mullens** (Accessory Apartment). Letter from DHCA to the current property owner, signed by the property owner and stating that the special exception has been eliminated and that the property owner would like it revoked.

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

- 14. S-2668, Petition of Taiwan Culture Center, Inc.** (Service Organization). Letter to the Board from William J. Chen, Jr. Esquire, responding to the statement submitted by David Brown, Esquire, at the Board's June 6, 2018, Worksession.

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

- 15. S-2760, Petition of Zi Wu Zhang and Yuk Ling Ko** (Accessory Apartment). Letter from DHCA to the current property owner/special exception holder, signed by the property owner and stating that the special exception has been eliminated and that the property owner/special exception holder would like it revoked.

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

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