**BOARD OF APPEALS**

**for**

**MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building**

## 100 Maryland Avenue, Room 217

## Rockville, Maryland 20850

**(240) 777-6600**

[**https://www.montgomerycountymd.gov/boa/**](https://www.montgomerycountymd.gov/boa/)

**WORKSESSION AND ADDENDUM MINUTES**

**Second Floor Davidson Memorial Hearing Room**

**Wednesday, May 8, 2019**

**ACTION ITEMS:**

1. (a) Minutes of April 24, 2019, Worksession.

Action: Approved, (KF/SBB, 4-0).

(b) Minutes of April 24, 2019, Worksession Addendum.

Action: Approved, (SBB/BG, 4-0).

**2. S-274-C, Petition of Suburban Hospital** (Hospital). Letter to the Board from Leslie Ford Weber, Director, Campus, Government & Community Affairs, Montgomery County, Johns Hopkins, submitting the results of the noise testing conducted in April 2019.

Action: Re-opened the record to include Ms. Weber’s letter with attachments, (SBB/KF, 4-0).

**3.** **S-285-E, Petition of Norwood School** (Private Educational Institution). Letter to the Board from Chris Van Alstyne, MNCPPC, submitting a report on the School’s compliance with the traffic count in Condition 10 of the Board’s April 25, 2013, Resolution and with the Transportation Management Plan.

Action: Re-opened the record to include Mr. Van Alstyne’s letter with attachment, (BG/JHP, 4-0).

**4. S-366, Petition of Linda Self** (Animal Boarding Place). Letter to the Board from James R. Clifford, Sr., Esquire, requesting a transfer of this special exception.

Action: Granted the transfer of this special exception, (KF/BG, 4-0).

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**5. S-602, Petition of Londonderry Apartments, Inc., T/A The Players Club** (A Private Club). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, indicating that this special exception has been abandoned and requesting that it be revoked. Also included is confirmation from the Community Manager at the Londonderry Apartments, whose residents now use the amenities formerly covered by the special exception.

Action: Revoked this special exception as abandoned, (SBB/BG, 4-0).

**6. S-1299, Petition of Susan and Peter Kopperman** (Antique Shop). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, indicating that this special exception has been abandoned and requesting that it be revoked. Also included is confirmation from the special exception holder and the current property owner.

Action: Revoked this special exception as abandoned, (BG/KF, 4-0).

**7.**  **S-1417, Petition of Apple Landscaping** (Landscape contractor). Letters to the Board from Rodney W. Holston, Jr., indicating that he intends to buy this special exception property, contingent on the transfer of the existing special exception, and thus is seeking to have the special exception transferred to his name. Also included is consent to the transfer from the current special exception holder.

Action: Granted the transfer of this special exception contingent on the submission of a deed evidencing the sale, (BG/SBB, 4-0).

**8. S-1632-B and S-2273, Petition of River Road Development, Inc. d/b/a Gymkhana Club International and AT&T Wireless Services** (Telecommunications Facility). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, setting forth the results of her inspection undertaken pursuant to a complaint filed by William Chen, Esquire, on behalf of abutting property owners David Hilbert and Jan Casadei. Ms. Cox concludes that the special exception holder is in violation of Condition #4 of the Board’s September 19, 1997 Opinion, and attaches a Notice of Violation with a compliance date of June 17, 2019.

Action: Deferred (consensus).

**9. S-1846, Petition of Dana Shields** (Accessory Apartment). Letter to the Board from Elizabeth Petro and Morgan Stern, requesting the transfer of this accessory apartment.

Action: Granted the transfer of this accessory apartment, (JHP/SBB, 4-0).

**10. S-2051, Dorothy L. Seabolt and Harry C. Taylor** (Accessory Apartment). Letter to the Board from Evelyn Ogbue, requesting the transfer of this accessory apartment.

Action: Deferred (consensus).

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**11. S-2431, Elizabeth MacDonald** (Accessory Apartment). Memorandum to the Board from Tamala Robinson, Inspector, Department of Housing and Community Affairs, indicating that this special exception has been eliminated and requesting that it be revoked. Also included is confirmation from the property owner.

Action: Revoked this special exception as abandoned, (SBB/KF, 4-0).

**12. S-2612, Petsmart, Inc.** (Pet Shop). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, indicating that the special exception property has been rezoned to CR, and asking that this special exception be revoked as the use is permitted by right in the new zone. Also included is consent to the revocation from a representative of this special exception holder.

Action: Revoked this special exception as the use is now permitted by right in the zone, (JHP/BG, 4-0).

**13. S-2880, Daniel and Kathleen Albert** (Equestrian Facility). Memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services, requesting that this special exception be revoked as abandoned. Also included is confirmation from the special exception holder and current property owner.

Action: Revoked this special exception as abandoned, (BG/JHP, 4-0).

**PENDING ITEM:**

**14. S-2385, Petition of Olney Boys and Girls Club** (Service Organization). Letter to the Board from Lucian Romano, OBGC, Chairman of the Board, seeking an administrative modification of this special exception. [Large Exhibits: Pole Building 1 and 2, Site Plans, Elevations, Structural Details and Specifications]. Item deferred (consensus). [WS: 4/24/19].

**Board Members**

John H. Pentecost, Chair

Stanley B. Boyd, Vice Chair

Bruce Goldensohn

Katherine Freeman

Jon W. Cook - **ABSENT**

**Staff**

Barbara Jay, Executive Director

Kathryn Lloyd, Associate County Attorney

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**WORKSESSION ADDENDUM MINUTES**

**Second Floor Davidson Memorial Hearing Room**

**Wednesday, May 8, 2019**

**ACTION ITEM:**

**1. CBA-2643, Petition of Audubon Naturalist Society** (Eleemosynary and Philanthropic Institution, and a Scientific Society Headquarters). Letters to the Board from Janet B. Rutsch and Kathleen Rosenberg, requesting a public hearing regarding the Board’s April 16, 2019, administrative modification of this special exception.

Action: Granted the request for a public hearing and suspended the resolution to modify this special exception dated April 16, 2019, (JHP/SBB, 4-0).

**Board Members**

John H. Pentecost, Chair

Stanley B. Boyd, Vice Chair

Bruce Goldensohn

Katherine Freeman

Jon W. Cook - **ABSENT**

**Staff**

Barbara Jay, Executive Director

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