

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**751 Twinbrook Parkway
(Next to Meadow Hall Elementary School)
Rockville, MD 20851**

(240) 777-6600

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

WORKSESSION AGENDA AND ADDENDUM MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, November 20, 2019

ACTION ITEMS:

1. Minutes of October 30, 2019, Worksession.

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

2. **CBA-1206-G, Petition of Congressional Country Club** (Golf Course/Country Club). Letter to the Board from Jody S. Kline, Esquire, requesting an administrative modification of this special exception.

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

3. **S-274-D, Petition of Suburban Hospital** (Hospital). Letter to the Board from Leslie Ford Weber, Director, Campus, Government & Community Affairs, Montgomery County, Johns Hopkins, submitting the annual report of the activities of the Suburban Hospital Community Liaison Council in 2019.

Action: Re-opened the record to receive Ms. Weber's submission with attachments, (JHP/BG, 5-0).

4. **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 receive Mr. Van Alstyne's letter with attachments, (JHP/KF, 5-0).

5. **S-1471, Petition of Power Fuel, and Transport, Real Estate Holding Company (MD), LLC** (Automobile Filling Station). Memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services, stating that noticed violations on the site have not been corrected in a timely manner, and requesting a show cause hearing.

Action: Voted to schedule Show Cause Hearing, (JHP/JWC, 5-0).

6. **S-1986, Petition of Paula Sue Heltzer** (Private Educational Institution). Letter to the Board from Mirza M. Afzal, San Holdings LLC, requesting a transfer and administrative modification of this special exception.

Action: Granted the transfer and administrative modification of this special exception, (JHP/JWC, 5-0).

7. **2045, Petition of Montgomery Hospice Society, Inc.** (Care Facility). Letter to the Board from Sean Hall, Community Manager, asserting that the special exception holder has proceeded with construction despite the suspension of their modification, and requesting that the Board and DPS intervene with respect to this “construction violation” and “maintain Zoning compliance and permits requirements.” Also included is a Memorandum from Barbara Cox, Inspector, DPS. A public hearing on the underlying special exception modification, which was suspended by a Resolution dated October 29, 2019, is scheduled for December 4, 2019.

Action: Re-opened the record to receive Mr. Hall’s letter, Ms. Cox’s Memorandum and a letter from eight residents of the community. (JHP/JWC, 5-0).

8. **S-2668, Petition of Taiwan Culture Center** (Service Organization). Letter to the Board from Tai L. Huang, P.E., PhD, submitting the Annual Report for the Center.

Action: Re-opened the record to receive Dr. Huang’s submission with attachments, (JHP/BG, 5-0).

PENDING ITEM:

9. **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. Item deferred (consensus) [WS: 5/8/19]. Compliance date was extended to August 19, 2019 [WS: 7/10/19].

Board Members

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Staff

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ACTION ITEM:

1. **A-6640, Appeal of Joan Marsh** (Administrative Appeal). Joint Motion to Dismiss received from Counsel for the Appellant and Counsel for the County, indicating that the Historic Preservation Commission has annulled the Decision and Order underlying this appeal, thereby rendering it moot. The parties request dismissal of the appeal and a full refund of the filing fee pursuant to Rule 2.3 of the Board's Rules of Procedure.

Action: Granted dismissal and a full refund of the filing fee. (KF/BG, 5-0).

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