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**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**100 Maryland Avenue, Room 217
Rockville, MD 20850**

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WORKSESSION MINUTES

Wednesday, December 8, 2021

ACTION ITEMS:

1. Minutes of November 17, 2021, Worksession.

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

2. **A-6703, Petition of Daniel Hart and Monica Lee** (Variance). Appeal received from John Jester, asserting that at the October 20, 2021, Worksession, the Board should have approved his request for reconsideration, and the original denial of this variance should have been upheld. Because appeals must be filed with the Circuit Court, the Board will treat this as a request for reconsideration of its November 3, 2021, Resolution to Deny Request for Reconsideration, issued pursuant to its October 20, 2021, Worksession.

Located at 6409 4th Avenue in Takoma Park Spring, Maryland.

Action: Denied the Request for Reconsideration, (JHP/BG, 5-0).

3. **A-6715, Petition of Walter C. Jones.** (Variance). Email letter to the Board from the Petitioner, requesting revision of the Board's previously granted variance decision.
Located at 11501 Nairn Farmhouse Court, Silver Spring, Maryland.

Action: Re-opened the record to receive the revised site plan, and revised the granted variance, (JHP/RM, 5-0).

- 4. CBA-2643, Petition of Audubon Naturalist Society** (Eleemosynary and Philanthropic Institution, and a Scientific Society Headquarters). Email letter to the Board from Janet Rutsch, stating that she did not receive Notice of the hearing in this case, and indicating that there were issues she would have liked to discuss. Similar emails from Kathleen Rosenberg and Mariana McNeill are also included, as well as an email from Janice Nelson-Drake asking questions about the Board's decision. Also included are a response to the email requests from Jody Kline, Esquire, on behalf of Audubon; a response to Mr. Kline's response received from Ms. Rutsch; and a second letter from Mr. Kline, suggesting a process for addressing the concerns raised in the email letters. *Located at 8940 Jones Mill Road, Chevy Chase, Maryland.*

Action: Granted the request for reconsideration; remanded the decision to OZAH; and suspended the Board's decision dated November 10, 2021, (CH/RM, 5-0).

- 5. CU 21-06, Petition Reflections Park Inc.** (Cemetery). Letter to the Board from Jody S. Esquire, requesting revision of the Board's November 17, 2021, Resolution to Remand Case to the Hearing Examiner. Also included is a letter dated December 1, 2021, from David Brown, Esquire, responding to Mr. Kline's request, and suggesting an alternative revision. *Located at 16621 New Hampshire Avenue, Silver Spring, Maryland.*

Action: Revised the earlier remand to OZAH, (JHP/CH, 5-0).

- 6. S-285-E, Norwood School** (Private Educational Institution). Letter to the Board from Chris Van Alstyne, Planner Coordinator, Montgomery County Planning Department, submitting the School's Fall 2021 traffic counts, and finding the School to be in compliance with trip limits imposed by the Board and with the School's Transportation Management Plan. *Located at 8821 River Road, Bethesda, Maryland.*

Action: Re-opened the record to receive Mr. Alstyne's submission, (JHP/RM, 5-0).

- 7. S-397, Petition of A.W. Landscapes** (Horticultural Nursery and Commercial Greenhouses). Letter to the Board from Mauricio E. Merino Valladares, who now owns the subject property, seeking transfer of this special exception to his landscaping company, Champion Landscaping Services Inc. Also included is documentation supporting his interest in the property, and consent to the transfer from the current special exception holder. *Located at 25110 Old Hundred Road, Dickerson, Maryland.*

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

- 8. S-1182, Petition Children in the Shoe** (Child Day Care Center). Email to the Board from Jonathan Ressler, Project Architect, on behalf of the Petitioner, seeking acceptance of a revised Site Plan showing a 90-degree rotation in the orientation of a modular classroom building approved by the Board in 2019. *Located at 16910 Georgia Avenue, Olney, Maryland.*

Action: Re-opened the record to accept revised site plan, (JHP/RM, 5-0).

- 9. S-1986, Petition of San Holdings Inc** (Private Educational Institution). Letter to the Board from Richard Aitken, NCARB, requesting an administrative modification of this special exception.

Located at 10224 Falls Road, Potomac, Maryland.

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

- 10. S-2057, Petition of Salim F. and Rima S. Sayegh** (Accessory Apartment). Memorandum to the Board from Michelle Hadrick, Housing Code Inspector, requesting revocation of this special exception. Also included is written consent to the revocation from the property owner.

Located at 1009 Broadmore Circle, Silver Spring, Maryland.

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

- 11. S-2428, Petition of M&D Auto Body** (Auto Body Repair and Services Shop). Letter to the Board from Sean Hughes, Esquire, requesting an administrative modification of this special exception.

Located at 920 Sligo Avenue, Silver Spring, Maryland.

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

- 12. S-2554, Petition of Manor at Colesville, LLC** (Senior Adult Housing). Letter to the Board dated November 8, 2021, from Joan Neff, Regional Property Manager, Habitat America, LLC, submitting the Annual Transportation and Parking Management Plan report for the year 2021.

Located at 601 East Randolph Road, Silver Spring, Maryland.

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

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