

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
Stella B. Werner Council Office Building
Rockville, Maryland 20850
(240) 777-6660

IN THE MATTER OF:
TATIANA METELEVA d/b/a
PLAYFUL DISCOVERIES DAYCARE
Conditional Use Holder

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OZAH Case No. CU 17-05

Before: Derek J. Baumgardner, Hearing Examiner

ORDER REVOKING CONDITIONAL USE CU 17-05 (Group Daycare)

On March 22, 2017, conditional use CU 17-05 to operate a Group Daycare for up to twelve (12) children was granted to Tatiana Meteleva d/b/a Playful Discoveries Daycare.

On March 29, 2021, OZAH received a Memorandum from Ms. Barbara Cox, Montgomery County Department of Permitting Services, stating that she had spoken with conditional use holder Tatiana Meteleva who informed her that the above-referenced daycare center ceased operation in August 2019. Ms. Meteleva informed Ms. Cox that she did not intend to resume operations or otherwise continue this conditional use. The Memorandum included a written statement signed by Ms. Meteleva attesting to these facts. The Memorandum requested that OZAH issue an order revoking the conditional use pursuant to §59.7.3.1.L.7 due to abandonment.

Zoning Ordinance §59.7.3.1.L.7(a) states the following:

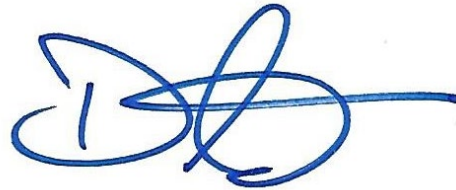
7. If DPS finds that a conditional use has been abandoned, DPS must forward written notice of its findings to the last recorded holder of the conditional use and to the property owner. The conditional use holder and property owner, within 60 days after the date of sending notice, must submit a written statement confirming the abandonment or challenging it and requesting that the use be continued.

a. If the conditional use holder and the property owner acknowledge that the conditional use has been abandoned, DPS must notify the Board of Appeals or the Hearing Examiner, as appropriate. The Board of Appeals or Hearing Examiner must adopt and issue a written resolution finding the conditional use to have been abandoned and ordering it revoked.

Given these circumstances, the Hearing Examiner finds that these facts support the revocation of this conditional use by consent of the conditional use holder, Tatiana Meteleva, in satisfaction of the requirements of §59.7.3.1.L.7(a).

Therefore, it is, this 27th day of April 2021, hereby

ORDERED that Conditional Use CU 17-05, Tatiana Meteleva d/b/a Playful Discoveries Daycare, is hereby **REVOKED BY CONSENT** pursuant to Zoning Ordinance §59.7.3.1.L.7.a.



Derek J. Baumgardner
Hearing Examiner

Copies To:

Tatiana Meteleva
Barbara Jay, Executive Director
Montgomery County Board of Appeals
Gwen Wright, Director, Planning Department
Michael Bello, Planning Department
All parties of record
Ehsan Motazedi, Department of Permitting Services, Zoning & Site Plan Enforcement
Greg Nichols, Manager, DPS Zoning & Site Plan Enforcement
Barbara Cox, DPS Zoning & Site Plan Enforcement
Alexandre A. Espinosa, Director, Finance Department
Charles Frederick, Esquire, Associate County Attorney