

From: [Robeson Hannan, Lynn](#)
To: [Harris, Patricia A.](#)
Cc: [Andrea LeWinter](#); [Behanna, Sara](#)
Subject: RE: S-874-B, 10-day notice of parking waiver
Date: Wednesday, March 27, 2024 3:46:24 PM

Thank you.

Lynn Robeson Hannan
Director
Office of Zoning and Administrative Hearings
100 Maryland Avenue, Room 200
Rockville, MD 20850
(240) 777-6660

From: Harris, Patricia A. <paharris@lercheearly.com>
Sent: Wednesday, March 27, 2024 3:33 PM
To: Robeson Hannan, Lynn <Lynn.RobesonHannan@montgomerycountymd.gov>
Cc: Andrea LeWinter <alewinter@taylorlegal.com>; Behanna, Sara <Sara.Behanna@montgomerycountymd.gov>
Subject: RE: S-874-B, 10-day notice of parking waiver

[EXTERNAL EMAIL]

Thank you for the explanation. We will get the letter out tomorrow. I will send a copy to Sara for the record.

Patricia A. Harris, Attorney
Lerch, Early & Brewer, Chtd. rising to every challenge for over 70 years
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From: Robeson Hannan, Lynn <Lynn.RobesonHannan@montgomerycountymd.gov>
Sent: Wednesday, March 27, 2024 3:25 PM
To: Harris, Patricia A. <paharris@lercheearly.com>
Cc: Andrea LeWinter <alewinter@taylorlegal.com>; Behanna, Sara <Sara.Behanna@montgomerycountymd.gov>
Subject: RE: S-874-B, 10-day notice of parking waiver

Pat, this is a modification of an SE, so the Board of Appeals will decide it and they are listed in the 15.636. As it is part of the Zoning regs and not the subdivision regs, I think you provide the request to the required individuals as soon as possible. If you can get it out quickly, then we can keep the record open the requisite number of days if anyone objects.

Exhibit 21
S-847-B

Lynn Robeson Hannan
Director
Office of Zoning and Administrative Hearings
100 Maryland Avenue, Room 200
Rockville, MD 20850
(240) 777-6660

From: Harris, Patricia A. <paharris@lercheearly.com>
Sent: Wednesday, March 27, 2024 2:58 PM
To: Robeson Hannan, Lynn <Lynn.RobesonHannan@montgomerycountymd.gov>
Cc: Andrea LeWinter <alewinter@taylorlegal.com>; Behanna, Sara <Sara.Behanna@montgomerycountymd.gov>
Subject: RE: S-874-B, 10-day notice of parking waiver

[EXTERNAL EMAIL]

Because Section 59C-15.636 providing for the waiver provides that “the Director, Planning Board or Board of Appeals may waive any requirement...” I was assuming that the ZHE does not have the authority to issue the waiver and thus the ZHE would make a recommendation regarding the waiver and the waiver would be sought by the Planning Board in connection with the Preliminary Plan and Site Plan. I realize that omitting the ZHE from this section was likely an oversight and was planning on bringing this up as a preliminary matter. If you determine that you do have the authority to grant the waiver, we can certainly send out the notice.

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From: Robeson Hannan, Lynn <Lynn.RobesonHannan@montgomerycountymd.gov>
Sent: Wednesday, March 27, 2024 2:36 PM
To: Harris, Patricia A. <paharris@lercheearly.com>
Cc: Andrea LeWinter <alewinter@taylorlegal.com>; Behanna, Sara <Sara.Behanna@montgomerycountymd.gov>
Subject: S-874-B, 10-day notice of parking waiver
Importance: High

I apologize, I hit “send” instead of “paste” on my earlier message.

You've requested a waiver from Section 59-C-16.633 of the 2004 Ordinance, which prohibits parking in front of the building. Section 16-636 requires "At least 10 days notice of any request for a waiver under this Section must be provided to all adjoining property owners, affected citizen associations, and Planning Department Staff, if applicable, before a decision may be made." Obviously, you have notified the Planning Department, but have you sent your request to adjoining property owners and citizens associations?

Thanks for your prompt response to this email.

Lynn Robeson Hannan
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From: [Robeson Hannan, Lynn](#)
To: [Harris, Patricia A.](#)
Cc: [Andrea LeWinter](#); [Behanna, Sara](#)
Subject: S-847-B, Notice of parking waiver
Date: Wednesday, March 27, 2024 2:32:00 PM
Importance: High

Ms. Harris, I noticed from review of the Staff Report that the Applicant in the above is requesting a waiver from the requirements of Section 59-16.33 of the 2004 Zoning Ordinance, which prohibits parking between the building and the front lot line.

Section 16.636 states, “

*Lynn Robeson Hannan
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