

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, Maryland 20850
(240) 777-6600**

www.montgomerycountymd.gov/content/council/boa/index.asp

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, December 19, 2007, 9:30 a.m.

ACTION ITEMS:

1. **Minutes**, December 12, 2007 Worksession.

Action: Approved as amended, (WMH/DKP, 5-0).

2. **CBA-1174-D, Holton Arms School** (private educational institution). Letter to the Board from Elsie Reid, Esquire, requesting an administrative modification.

Action: Granted the administrative modification, (CGT/CLH, 5-0).

3. **CBA-1439, Wall Lane, Inc.** (off-street parking). Letter to the Board from Susan Reutershan, Esquire, regarding modification of the special exception site.

Action: Re-opened the record to include the letter from Ms. Reutershan, (CGT/WMH, 5-0).

4. **S-570, Petition of Wildlife Achievement Club Chapter of Izaak Walton League of America, Inc.** (private club). Submission of the annual report from Stephen L. Lefebvre, Esquire.

Action: Re-opened the record to include the annual report from Mr. Lefebvre, (DKP/CLH, 5-0).

5. **S-1405, Petition of Democracy Associates Limited Partnership** (retail establishment in office building). Memorandum from Heather Gottke, Inspector, Department of Permitting Services (DPS), requesting a Show Cause Hearing.

Action: Schedule Show Cause Hearing, (CLH/CGT, 5-0).

6. **S-2588, Petition of Onkar N. Sharma** (non-resident professional office). Inspection report to the Board from Barbara Piczak, Inspector, DPS.

Action: Re-open the record to include Ms. Piczak's inspection report, (WMH/DKP, 5-0).

7. **S-2631, Petition of Germantown Walter Johnson Property, LLC** (automobile filling station and convenience store). Letter to the Board from Richard Hurney, P.E., submitting a revised landscape plan. [Large exhibits: site plan, landscape and lighting plan, paving and striping plan]. Also included is information the Board requested regarding the adequacy of the internal site circulation plan.

Action: (1) Re-opened the record to include Mr. Hurney's letter with attachments; (2) adopted the revised special exception site, landscape and lighting, paving and striping plans, (CLH/DKP, 5-0).

PENDING ITEMS:

8. **A-6114, Appeal of Newland Communities LLC and NNP II – Clarksburg LLC** (Department of Fire and Rescue Services – Notice of Violation dated September 20, 2005). Second Status Report from Todd Brown, Esquire. (1) Re-opened the record to include the Second Status Report from Todd Brown; (2) the Board will receive Status Reports on 1/15/07 and 4/1/07. [W/S 10/25/06]. (1) Re-opened the record to include the status report from Mr. Brown; (2) Mr. Brown to provide a status/progress report to BOA at its 5/2/07 Worksession. [W/S 2/28/07]. Status Report from Todd Brown, Esquire. [W/S 10/17/07].
9. **A-6190, Appeal of Amanda Enterprises, LLC** (Department of Permitting Services – Notice of Violation dated November 13, 2006 and Use and Occupancy Certificate No. 250849). BOA to receive a status report from the appellant by 6/15/07. [Pre-hearing Conference held on 3/14/07].
10. **CBA-2924, Petition of RMC Partnership** (medical and dental clinic). Letters to the Board from Jane Ho, Esquire, and Benjamin Akintan, Rph., requesting a transfer and an administrative modification. (Large exhibits: cover sheet, existing and demolition plan, modification elevations, construction details, survey). Item deferred for additional information. [W/S 7/18/07].
11. **S-232, Petition of R. P. Patton & Sons, Inc.** (horticultural nursery and commercial greenhouse). Letter to the Board from Melvin Laney requesting an inspection of the special exception and a public hearing. (1) Re-opened the record to include the letter from Mr. Laney; (2) Board to request DPS to inspect the special exception and provide the Board with an inspection report. [W/S 4/18/07]

PENDING ITEMS (continued):

12. **S-2471, Petition of Kids 'N Care Learning Center** (child day care facility). Letter from Casey Moore, Esquire, submitting the additional information requested by the Board on the special exception staff parking. Item deferred until 1/9/08 Worksession. [W/S 12/12/07].

Board Members

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Staff

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WORKSESSION ADDENDUM MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, December 19, 2007, 9:30 a.m.

ACTION ITEM:

1. **A-6237, Appeal of Huntington Terrace Citizens Association by Lorraine Driscoll and Amy Shiman** (Department of Permitting Services – Memorandum dated November 13, 2007). Motion to Intervene for Suburban Hospital from Barbara Sears, Esquire and Erin Girard, Esquire.

Action: Granted motion to intervene, (CGT/DKP, 4-0/WMH/recused).

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