

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
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Rockville, Maryland 20850
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www.montgomerycountymd.gov/content/council/boa/index.asp

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, October 10, 2012, 9:30 a.m.

ACTION ITEMS:

1. Minutes, September 26, 2012 Worksession.

Action: Approved, (SBB/CJS, 4-0).

2. **A-6391, Appeal of Jacqueline Vera-Y-Aragon** (Department of Permitting Services – Issuance of Use and Occupancy Certificate No. 263706). Motion to intervene from Susan Carter, Esquire.

Action: Granted the motion to intervene, (DKP/CJS, 4-0).

3. **CBA-722, Petition of Chevy Chase Club, Inc.** (country club). Letter of support from William Freund, Co-chair, Citizens Coordinating Committee on Friendship Heights.

Action: Re-opened the record to include Mr. Freund's letter, (SBB/CJS, 4-0).

4. **S-420-H and A-6379, Petition of Holy Cross Hospital** (hospital). Letter to the Board from Eileen Cahill, Vice President, submitting the hospital's annual report and the community liaison council minutes.

Action: Re-opened the record to include Ms. Cahill's letter with attachments, (CJS/DKP, 4-0).

5. **S-2668, Petition of Taiwan Culture Center** (service organization). communications facility). Letter to the Board from Tai Huang, President, submitting the community council liaison minutes.

Action: Re-opened the record to include Mr. Huang's letter with attachments, (SBB/CJS, 4-0).

6. **S-2781, Petition of Gilmore-Brunett, LLC** (child day care facility). Letter from Robert Dalrymple, Esquire, and Anne Mead, Esquire, requesting reconsideration and a remand to the Hearing Examiner. Also included are letters to the Board from Michele Riley, President, Woodmoor-Pinecrest Citizens Association; Louis Leibowitz, Esquire; Harriet Quinn; and James Zepp, Northwood-Four Corners Civic Association; requesting denial of the reconsideration and remand request.

Action: Stayed the date of the Board's Opinion dated 8/13/2012 until 10/10/2012, (DKP/SBB, 3-1).

7. **S-2807, Petition of J. B. Kline, Jr. Landscaping and Lawn Maintenance, Inc.** (landscape contractor). Letter to the Board from Todd Brown, Esquire, submitting the petitioner's approved sign permit.

Action: Re-opened the record to include Mr. Brown's letter with attachment, (DKP/CJS, 4-0).

PENDING ITEMS:

8. **CBA-2961, Petition of Chesapeake and Potomac Telephone Company** (telecommunications facility). Letter to the Board from Timothy Dugan, Esquire, with the status of the compliance with the notice of violation and a request for a name change. Also included is a memorandum from Heather Gottke, Inspector, DPS, with an update of the notice of violation and an extension until October 31, 2012. (1) Re-opened the record to include Mr. Dugan's letter with attachments and Ms. Gottke's memorandum; (2) item deferred until after the DPS extension deadline of October 31, 2012. [W/S 9/26/2012].
9. **S-763 [S-763-A], Petition of Silver Spring Temple and Library Association** (service organization). Letter to the Board from Sean Hughes, Esquire, requesting an administrative modification. [Large exhibits: title sheet, site survey, roof and equipment location plan, building elevations, equipment details]. Deferred administrative modification request until a special exception application has been approved for the telecommunications facility. [W/S 3/10/2010].
10. **S-2145, Petition of Southwestern Bell Mobile Systems, Inc.** (telecommunications facility). Letter to the Board from Karmen Rajamani, Zoning Manager, requesting a transfer of the special exception. Item deferred for confirmation of the transfer from Southwestern Bell Mobil Systems, Inc. [W/S 4/30/2008].

PENDING ITEMS (continued):

11. **S-2759, Petition of Darnestown Development, LLC t/a Goddard School** (child day care facility). Letter to the Board from Stephen Kaufman, Esquire and Debra Borden, Esquire, requesting a transfer of the special exception and an administrative modification. [Large exhibits: cover sheet, special exception site plan, special exception landscape plan/2 sheets, preliminary subdivision plan]. (1) Granted the transfer of the special exception; (2) deferred the administrative modification request until M-NCPPC's approval of the pending request for revisions to the preliminary plan. [W/S 9/14/2011]. (1) Re-opened the record to include Ms. Martin's letter; (2) Ms. Martin's request will be deferred until the administrative modification request is taken up by BOA. [W/S 12/7/2011].

12. **S-2820, Petition of Fairland Animal Hospital, Inc.** (veterinary hospital). Hearing Examiner's Report and Recommendation. Also included is a letter from Jody Kline, Esquire, requesting oral argument. (1) Granted the request for oral argument. (2) deferred the Hearing Examiner's Report and Recommendation. [W/S 2/29/2012].

Board Members

Catherine G. Titus, Chair
David K. Perdue, Vice Chair
Walter S. Booth - ABSENT
Carolyn J. Shawaker
Stanley B. Boyd

Staff:

Barbara Jay, Associate County Attorney
Katherine Freeman, Executive Director
Hermene Jones, Administrative Specialist