

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
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Rockville, Maryland 20850
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<http://www.montgomerycountymd.gov/boa/index.html>

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, October 23, 2013

ACTION ITEMS:

1. Minutes, October 16, 2013 Worksession.
Action: Approved, (SBB/CJS, 5-0).
2. Minutes, October 9, 2013 Worksession.
Action: Approved, (CJS/SBB, 5-0).
- 2(a). Corrected Minutes, September 25, 2013 Worksession.
Action: Approved, (SBB/JHP, 5-0).
3. **CBA-2091-A[S-155 & S-342], Petition of Montgomery Square Copenhaver Swim Club**, (Community Swimming Pool). Letter to the Board from Rita Morris responding to the Boards request for information. [W/S 7/31/2013].
Action: Denied the administrative modification, (DKP/CJS, 5-0).
4. **CBA-2377, Petition of Concord Joint Venture [New Holder: Concord BT, LLC]**, (Off-street Parking). Letter to the Board John S. Blick, Managing Member, informing the Board that the recently adopted Kensington Sector Plan changed the zoning of the property and requesting that the special exception be revoked.
Action: Item deferred pending confirmation from the Department of Permitting Services, (DKP/CJS, 5-0).
5. **S-687-F and S-687-G, Petition of The Bullis School** (Private Educational Institution). Letter to the Board from Soo Lee-Cho, Esquire, requesting administrative modification.
Action: Granted the administrative modification, (SBB/DKP, 5-0).
6. **S-787, Petition of It's Delicious, Inc, [New name: The Executive Court Café]** (Restaurant). Memorandum to the Board from Heather Gottke, Inspector, Department of Permitting Services notifying the Board that the special exception has been abandoned and requesting that it be revoked. Also included is a letter of confirmation from the current owner.
Action: Revoked special exception as abandoned, (SBB/CJS, 5-0).

7. **S-879, Petition of L. Mark Gross, M.D. [New Holder: Prevoyant, LLC].**, (Non-resident Medical Practitioner's Office). Letter to the Board from H. Brandt Foster, DDS, requesting an administrative modification.

Action: Item deferred for clarification (consensus).

8. **S-976, Petition of Paul Anthony Ritacco** (Accessory Apartment). Memorandum to the Board from Robert Goff, Inspector, Department of Housing and Community Affairs, notifying the Board that the special exception has been abandoned and requesting that it be revoked. Also included is a letter from Diane G. Terpeluk requesting transfer of the special exception.

Action: Granted transfer of the special exception, (CGT/SBB, 5-0).

9. **S-1078, Petition of Sugarloaf Service Center** (Automobile Filling Station). Memorandum to the Board from Heather Gottke, Inspector, Department of Permitting Services, recommending revocation of the special exception as it is a permitted use in the zone. Also included is a confirmation letter from the Petitioner's representative.

Action: Revoked special exception as now permitted, (DKP/CJS, 5-0).

10. **S-1407, Petition of Little Acres Day Care, Inc.** (Child Day Care Center). Memorandum to the Board from Heather Gottke, Inspector, Department of Permitting Services, notifying the Board that the special exception has been abandoned and requesting that it be revoked. Also included is a letter of confirmation from the current owner.

Action: Revoked special exception as abandoned, (CJS/SBB, 5-0).

11. **S-1458, Petition of James A. Palmer [New Holder: Jose Ma. Noel D. Perfecto]** (Accessory Apartment). Letter to the Board from Qing Xu, requesting a transfer of the special exception.

Action: Granted transfer of the special exception, (SBB/CJS, 5-0).

12. **S-2568, Petition of IO Limited Partnership, LLLP** (Automobile Filling Station). Memorandum to the Board from Heather Gottke, Inspector, Department of Permitting Services, recommending revocation of the special exception as it is a permitted use in the zone. Also included a confirmation letter from the owner and the Petitioner's representative.

Action: Revoked special exception as now permitted, (DKP/JHP, 5-0).

13. **S-2770, Petition of Kay Harding and William White and T-Mobile Northeast, LLC** (Telecommunications Facility). Letter to the Board from Sean Hughes, Esquire, requesting extension of time to implement the special exception.

Action: Granted extension of time until February 2014

- 14. S-2805, Petition of T-Mobile Northeast, LLC and John D. Ammerman** (Telecommunications Facility). Letter to the Board from Sean Hughes, Esquire, requesting extension of time to implement the special exception.

Action: Granted extension of time until December 23, 2014, (DKP/JHP, (5-0)).

- 15. S-2809, Petition of T-Mobile Northeast, LLC and ERP Operating, Limited** (Telecommunications Facility). Letter to the Board from Sean Hughes, Esquire, requesting extension of time to implement the special exception.

Action: Granted extension of time until December 1, 2014, (CJS/JHP, (5-0)).

- 16. S-2811, Petition of T-Mobile Northeast, LLC and Sunshine Farms. LLC** (Telecommunications Facility). Letter to the Board from Sean Hughes, Esquire, requesting extension of time to implement the special exception.

Action: Granted extension of time until November 17, 2014, (CJS/JHP, (5-0)).

PENDING ITEMS:

- 17. 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].

- 18. 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].

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