

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue, Room 217
Rockville, Maryland 20850
(240) 777-6600**

<http://www.montgomerycountymd.gov/boa/>

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, April 23, 2014

ACTION ITEMS:

1. Minutes, April 9, 2014 Worksession.

Action: (a) Corrected item No.1, (b) noted votes for item No. 5, (SBB/CGT, 4-0).

2. **A-6364 through A-6377, Petition of Suburban Hospital** (Hospital). Letter to the Board from Barbara Sears, Esquire and Erin Girard, Esquire, requesting an extension of time to implement the variances.

Action: Granted extension of time to implement for two years, (CGT/SBB, 4-0).

3. **A-6431, Appeal of George Cheney and Kerry Armstrong**, (Administrative Appeal). Letter to the Board from Andrew J. Lawrence, Esquire, requesting withdrawal of the appeal and also the refund of the filing fees.

Action: (a) Dismissed the Administrative Appeal as withdrawn, (b) granted 50% refund of the filing fee, (DKP/CJS, 4-0).

4. **CBA-1749-A, Petition of Faik and Lauren Tugberk**. (Office, Professional-non-resident). Letter to the Board from Robert Dalrymple and Heather Dlhopsky, Esquire, requesting the Boards determination about whether application requires a new special exception and if so; a fee refund.

Action: (a) Dismissed the administrative modification, (b) granted fee to be applied to the new special exception, (DKP/CJS, 4-0).

5. **S-274-D, Petition of Suburban Hospital** (Hospital). Letter to the Board from Barbara Sears, Esquire and Erin Girard, Esquire, submitting M-NCPPC approved plans. [Large Exhibits: site plans, landscape plans, lighting plans and final conservation plan].

Action: Re-opened the record to include Ms. Sear's and Ms. Girard's letter with attachments, (CJS/JHP, 4-0).

6. **S-2129, Petition of The North Village 270 Limited Partnership** (Golf Driving Range). Memorandum to the Board from Heather Gottke, Inspector, Department of Permitting Services recommending revocation of the special exception, based on abandonment.

Action: Revoked special exception as abandoned, (SBB/CGT, 4-0).

7. **S-2816, Petition of T-Mobile Northeast, LLC, and Ralph and Margaret Gibson** (Telecommunication Facility). Letter to the Board from Sean Hughes, Esquire, requesting extension of time to implement the special exception.

Action: Granted extension of time to implement the special exception, (DKP/CJS, 4-0).

PENDING ITEMS:

8. **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].

9. **S-2145, Petition of Southwestern Bell Mobile Systems, Inc.** (Telecommunication 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].

10. **SE 11-02-A, In the Matter of Margaret L. Zhang** (Child Day Care Center for up to 30 children in Petitioner's home). Memorandum to the Board from Martin Grossman (OZAH), referring matter for action on alleged violations. Item deferred pending receipt of Department of Permitting Services report. [W/S 2/26/14].

Board Members

Catherine G. Titus, Chair
David K. Perdue, Vice Chair
Carolyn J. Shawaker
Stanley B. Boyd
John H. Pentecost-Absent

Staff

Barbara Jay, Associate County Attorney
Katherine Freeman, Executive Director