

**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, March 12, 2014**

**ACTION ITEMS:**

1. Minutes, February 26, 2014 Worksession.

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

2. **CBA-864-B, Petition of Potomac Swim and Recreation Association** (Community Swimming Pool). Letter to the Board from Tom Salcetti, General Manager, submitting the Community Liaison Council, quarterly meeting minutes.

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

3. **CBA-2197-B, Petition of The Heights School**, (Private Educational Institution). Letter to the Board from Soo Lee-Cho, Esquire, requesting consolidation of cases and administrative modification.

Action: Granted the consolidation of cases and the administrative modification, (JHP/SBB, 4-0).

4. **CBA-2948, Petition of Mobil Corporation** (Automobile Filling Station). Letter to the Board from John Barr, Esquire, requesting administrative modification. [Large Exhibits: cover sheet and special exception amendment plat].

Action: (a) Granted the transfer of the special exception, (b) granted the administrative modification, (SBB/CJS, 4-0).

5. **S-285-E, Petition of Norwood School, Inc,** (Private Educational Institution). Letter to the Board from Katherine Holt, Transportation Planner, M-NCPPC, with notification of compliance by the Petitioner with Condition No. 10 of the Board's Opinion dated 4/25/13.

Action: Re-opened the record to include Ms. Holt's letter, (CJS/JHP, 4-0).

6. **CBA-698-B, Petition of Fairland Adventist Nursing and Rehabilitation Center, Inc,** (Nursing Home). Memorandum to the Board from Martin Grossman (OZAH), with Petitioner's request to withdraw the case and request for refund of the fees.

Action: (1) Dismissed petition for special exception as withdrawn; (2) granted 50% refund of the filing fee, (SBB/CJS, 4-0).

7. **S-2467, Petition of Holton Arms School,** (Private Educational Institution). Letter to the Board from Elsie Reid, Esquire, requesting administrative modification.

Action: Granted the administrative modification, (SBB/CJS, 4-0).

8. **S-2745 and CBA-2114-B, Petition of New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility and International Monetary Fund,** (Telecommunications Facility). Memorandum to the Board from Martin Grossman (OZAH), recommending dismissal of the application for lack of prosecution.

Action: Dismissed for lack of prosecution, (CJS/JHP, 4-0).

9. **S-2797, Petition of T-Mobile Northeast, LLC and Surmont, LLC,** (Telecommunications Facility). Memorandum to the Board from Martin Grossman (OZAH), with Petitioner's request to withdraw the case and request for refund of the fees.

Action: (1) Dismissed petition for special exception as withdrawn; (2) granted 50% refund of the filing fee, (CJS/SBB, 4-0).

10. **S-2804, Petition of T-mobile Northeast, LLC and Milton and Patsy Andrews,** (Telecommunications Facility). Memorandum to the Board from Martin Grossman (OZAH), with Petitioner's request to withdraw the case and request for refund of the fees.

Action: (1) Dismissed petition for special exception as withdrawn; (2) granted 50% refund of the filing fee, (JHP/SBB, 4-0).

11. **SE 13-02, Petition of Dereje Zewdu and Fekerte Desalegn** (Child Day Care Center for up to 30 Children). Letter to the Board from David Gardner, Esquire, appealing the Hearing Examiner's decision.

Action: (a) Granted oral argument; (b) schedule pre-hearing, (JHP/DKP, 4-0).

**PENDING ITEMS:**

12. **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].
13. **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].
14. **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 - Absent  
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

