

**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 4, 2015

ACTION ITEMS:

1. Minutes, February 18, 2015 Worksession.

Action: Approved, (SBB/ESR, 5-0).

2. **A-6441, Petition of Grace E. Miazza** (Variance). Memorandum to the Board from Mark Moran, Zoning Investigator, Department of Permitting Services, reporting on his inspection of the variance screening. [W/S: 12/3/14].

Action: Re-opened the record to include Mr. Moran's inspection report. (CJS/JHP, 5-0).

3. **A-6455, Appeal of Crystal M. Esler** (Administrative Appeal). Letter to the Board from Bernadette Lamson, Esquire, requesting a subpoena to compel the appearance of Pastor David R. Sayne. Also received letter from Appellant withdrawing the appeal and a letter from Bernadette Larson Associate County Attorney.

Action: Dismissed as withdrawn, (CJS/JHP, 5-0).

4. **CBA-764; CBA-1148; CBA- 2126; CBA-2693; S-260; S-581, Petition of Potomac Electric Power Company** (Public Utility Facilities). Letter to the Board from John Sekerak, Jr. requesting administrative modification. [Large Exhibit: site plan].

Action: Granted the administrative modification, (SBB/CJS, 5-0).

5. **CBA-1383-A, Petition of Tilden Woods Recreation Association, Inc.** (Community Swimming Pool). Letter to the Board from Barbara Ship responding to the Board's request for inspection. Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, finding that all the issues have been addressed.

Action: Re-opened the record to include Ms. Ship's letter and also Ms. Cox's memorandum. (CJS/JHP, 5-0).

6. **CBA-1389-F, Petition of St. Andrews Episcopal School** (Private Educational Institution). Letter to the Board from Diane R. Schwartz Jones, Director, Department of Permitting Services.

Action: Revoked the special exception as no longer applicable. (JHP/SBB, 5-0).

7. **CBA-1749 (S-2875), Petition of Faik and Lauren Tugberk** (Professional Office). Letter to the Board from C. Robert Dalrymple, Esquire and Heather Dlhopsky, Esquire, requesting revocation of Case No. CBA-1749.

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

8. **S-213, Petition of Potomac Electric Power Company** (Public Utility Facilities). Letter to the Board from John Sekerak, Jr. requesting administrative modification. [Large Exhibit: site plan].

Action: Granted the administrative modification. (SBB/CJS, 5-0).

9. **S-420-H, Petition of Holy Cross Hospital** (Hospital). Letter to the Board from Heather Smith, Vice President, Integrated Operations, Holy Cross Hospital, submitting the annual report.

Action: Re-opened the record to include Ms. Smith's letter. (JHP/CJS, 5-0).

10. **S-722, Petition of White Oak Limited partnership** (Retail Establishment). Memorandum to the Board from Barbara Cox, Zoning Inspector, Department of Permitting Services, recommending revocation of the special exception as abandoned. Also included is a confirmation letter from the current owner.

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

11. **S-1057, Petition of Jennette Benjamin** (Retail Establishment). Letter to the Board from Barry Ostrow requesting transfer of the special exception.

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

DECISION ITEM:

12. **S-2873, Petition of Victory Housing, Inc.** (*Housing, Elderly & Handicapped*). Hearing Examiner's Report and Recommendation.

Action: (1) Adopted the Hearing Examiner's Report and Recommendation; (2) granted the special exception with conditions, (SBB/ESR, 5-0).

PENDING ITEMS:

13. **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].
14. **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].
15. **CBA-2091-A, Petition of Montgomery Square-Copenhaver Swim Club** (Community Swimming Pool). Letter to the Board from Richard S. Meyer, requesting administrative modification to allow the farm stand. Item deferred for additional information by consensus. [WS: 1/21/15].

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WORKSESSION ADDENDUM MINUTES

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Wednesday, March 4, 2015

ACTION ITEMS:

- 1. A-6451, Petition of Jenny Tsang and Keat Yam Yeoh, (Variance) Order Extending Time for Written Decision of the Board.**

Action: Granted extension of time for written decision of the Board, (SBB/ESR, 5-0).

- 2. A-6452, Petition of DASH 50W LLC (Variance) Order Extending Time for Written Decision of the Board.**

Action: Granted extension of time for written decision of the Board, (SBB/ESR, 5-0).

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