

**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, December 2, 2015

ACTION ITEMS:

1. (a) Minutes of November 18, 2015, Worksession.
Action: Approved, (SBB/ESR, 4-0-1 absent, BAG).

(b) Minutes of November 18, 2015, Worksession Addendum.
Action: Approved, (ESR/JHP, 4-0-1 absent, BAG).

2. **CBA-2197-C Petition of The Heights School**, (Private Educational Institution). Letter to the Board from Alvaro de Vicente, Headmaster, submitting information on compliance with Condition No. 7 of May 19, 2015, BOA opinion.

Action: Re-opened the record to accept Mr. Alvaro de Vicente's letter, (ESR/BAG, 5-0).

3. **CBA-2340, Petition of Harry Himelfarb and American Oil Company** (Automobile Filling Station). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, recommending revocation of the special exception based on abandoned. Also included is a confirmation letter from the current owner.

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

4. **S-274-D, Petition of Suburban Hospital** (Hospital). Letter to the Board from Leslie Ford Weber, submitting the Community Liaison Council Annual Report and Minutes.

Action: Re-opened the record to accept Ms. Weber's letter with attachment, (JHP/SBB, 5-0).

5. **S-800, Petition of Sang Soon Kim d/b/a Montrose Deli** (Restaurant). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, recommending revocation of the special exception as the property has been rezoned and the use is now permitted.

Action: Revoked the special exception as use is permitted in the zone, (SBB/JHP, 5-0).

6. **S-1242, Home Café, Inc.** (Drive-in-Restaurant). Letter to the Board from Michael R. Wheeler, requesting an administrative modification. [Large Exhibits: floor plan and elevations].

Action: Granted the administrative modification, (JHP/ESR, 5-0).

7. **S-1456; S-1456-A; S-1456-B, Petition of Concord Hill School** (Private Educational Institution). Letter to the Board from Stuart R. Barr, Esquire, requesting an administrative modification.

Action: Granted the administrative modification, (JHP/ESR, 5-0).

8. **S-1575, Petition of Dan Robinson, Sally Rieger and Gerry Seedyke**, (Accessory Apartment). Memorandum to the Board from Julia Thom, Inspector, Department of Housing and Community Affairs, requesting the revocation of the special exception based on abandonment. Also included is a confirmation letter from the current owner.

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

9. **S-1904, Petition of Norman Roskin, D.V. M.** (Veterinary Hospital). Letter to the Board from Karen S. Hoffmann, Manager, requesting transfer of the special exception.

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

10. **S-2092, Petition of Brook Grove Foundation** (Life Care Facilities). Letter to the Board from Jody S. Kline, Esquire, requesting administrative modification.

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

11. **S-2655, Petition of Hector T. Ayu** (A Drug Store). Letter to the Board from the Petitioner requesting revocation of the special exception effective December 31, 2015. Also included is a memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services, recommending revocation of the special exception.

Action: Revoked the special exception effective December 31, 2015, (JHP/ESR, 5-0).

12. **S-2841, Petition of HHHunt Corporation**, (Domiciliary Care Home). Letter to the Board from Casey L. Cirner, Esquire, requesting extension of time to implement the special exception.

Action: Granted one year extension of time to implement the special exception, (JHP/ESR, 5-0).

DECISION ITEM:

13. **S-2882, Petition of Hawthorn Development LLC**, (Domiciliary Care Facility). Hearing Examiner's Report and Recommendation.

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

Board Members

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John H. Pentecost, Vice Chair
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