

**BOARD OF APPEALS  
for  
MONTGOMERY COUNTY**

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

(240) 777-6600

**Case No. S-2385**

**PETITION OF OLNEY BOYS AND GIRLS CLUB**

**RESOLUTION TO SUSPEND MODIFICATION  
AND HOLD HEARING**

(Resolution Adopted July 12, 2023)  
(Effective Date of Resolution: July 26, 2023)

The Board of Appeals granted Case No. S-2385 to Olney Boys and Girls Club on July 26, 1999, under Sections 59-G-2.24 and 59-G-2.42 of the Zoning Ordinance, to permit the establishment and operation of a service organization. The Board previously granted administrative modifications of this special exception in Resolutions dated November 15, 2006, July 14, 2011, and June 4, 2019. Effective June 21, 2023, the Board granted an administrative modification of the originally approved Lighting and Landscaping Plans, which was needed by the Olney Boys and Girls Club so that they could obtain a commercial building permit for the installation of modern ballfield lighting apparatus and appurtenant fixtures. This modification included a ten foot height increase to many of the previously-approved light fixtures.

The subject property is Lot 5, Brooke Farm Subdivision, located at 4501 Olney-Laytonsville Road, Olney, Maryland, 20832, in the AR Zone.

On July 6, 2023, the Board received an email letter requesting a public hearing on the Board's June 21, 2023, Resolution to Modify Special Exception from W. Taylor Smith, Lenny Smith, Wendy Atkinson, and T.J. Atkinson. The Board of Appeals considered this email letter at its July 12, 2023, Worksession. Peter Ciferri, Esquire, who represented the Olney Boys and Girls Club in this modification, was present at the Worksession.

Because Case No. S-2385 was approved prior to October 30, 2014, under Section 59-7.7.1.B of the current Zoning Ordinance, this request for a public hearing must be reviewed under the standards and procedures in effect on October 29, 2014, unless the applicant elects to proceed under the current Zoning Ordinance. Section 59-G-1.3(c)(1) of the 2004 Zoning Ordinance provides that when the Board of Appeals grants an administrative modification, "any party may, within 15 days after the Board's resolution is

mailed, request a public hearing on the Board's action," and that "[i]f a request for a hearing is received, the Board must suspend its decision and conduct a public hearing to consider the action taken." The Board finds that the July 6, 2023, request for a public hearing regarding the Board's June 21, 2023, Resolution to Modify Special Exception is timely, and that a public hearing must be held.


Therefore, on a motion by John H. Pentecost, Chair, seconded by Richard Melnick, Vice Chair, with Caryn Hines and Alan Sternstein in agreement, and with Laura Seminario-Thornton necessarily absent and not participating, the Board suspends its June 21, 2023, Resolution modifying this special exception, and will hold a public hearing to determine whether this modification substantially changes the nature, character or intensity of the special exception use, or its effect on traffic or on the immediate neighborhood.

**BE IT RESOLVED** by the Board of Appeals for Montgomery County, Maryland that the opinion stated above is adopted as the Resolution required by law as its decision on the above-entitled petition.



John H. Pentecost  
Chair, Montgomery County Board of Appeals

Entered in the Opinion Book  
of the Board of Appeals for  
Montgomery County, Maryland  
this 26th day of July, 2023.



Barbara Jay  
Executive Director

**NOTE:**

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.