

From: [Soo Lee-Cho](#)
To: [Byrne, Kathleen](#); [Johnson, Nana](#); [Grace Bogdan](#); [Salazar, Victor](#); [Coveyou, Michael](#); [Jay, Barbara](#); [Butler, Patrick](#)
Cc: [Guisao-Ospina, Jony](#)
Subject: RE: [EXTERNAL]RE: [EXTERNAL]RE: [EXTERNAL]CBA-1174-E Holton Arms, Notice of Hearing
Date: Tuesday, September 30, 2025 1:26:21 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

[EXTERNAL EMAIL]

Thank you!

Soo



Soo Lee-Cho

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From: Byrne, Kathleen <Kathleen.Byrne@montgomerycountymd.gov>

Sent: Tuesday, September 30, 2025 12:18 PM

To: Soo Lee-Cho <sleecho@bregmanlaw.com>; Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>; Grace Bogdan <grace.bogdan@montgomeryplanning.org>; Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>; Coveyou, Michael <Michael.Coveyou@montgomerycountymd.gov>; Jay, Barbara <Barbara.Jay@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>

Cc: Guisao-Ospina, Jony <Jony.Guisao@montgomerycountymd.gov>

Subject: [EXTERNAL]RE: [EXTERNAL]RE: [EXTERNAL]CBA-1174-E Holton Arms, Notice of Hearing

Soo,

On September 10, 2003, the Board issued a resolution granting the request from Holton Arm's attorney at the time, Elsie Reid, that CBA-1174-D, S-2467-A and S-2503-A be consolidated. Because the Board acted after 2003 and modified S-2467-A in 2009 and S-2503-A in 2006, there is some confusion about consolidation of all the prior cases

Exhibit 105
CBA-1174-E

numbers and whether using just CBA-1174-E as the sole case number would be an adequate description for the pending matter.

Since we are acting out of an abundance of caution and in keeping with the Board's naming convention we will change S-2503-A to S-2503-B. The caption will now list the following case #s – **CBA-1174-E, S-2467-A, S-2503-B, S-516, and S-729** referencing all prior Board case numbers associated with the property.

Katy Byrne

Kathleen E. Byrne
Director/Hearing Examiner
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Montgomery County, Maryland
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Rockville, Maryland 20850
240-777-6660
Kathleen.byrne@montgomerycountymd.gov

From: Soo Lee-Cho <sleecho@bregmanlaw.com>
Sent: Tuesday, September 30, 2025 10:45 AM
To: Byrne, Kathleen <Kathleen.Byrne@montgomerycountymd.gov>; Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>; Grace Bogdan <grace.bogdan@montgomeryplanning.org>; Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>; Coveyou, Michael <Michael.Coveyou@montgomerycountymd.gov>; Jay, Barbara <Barbara.Jay@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>
Cc: Guisao-Ospina, Jony <Jony.Guisao@montgomerycountymd.gov>
Subject: RE: [EXTERNAL]RE: [EXTERNAL]CBA-1174-E Holton Arms, Notice of Hearing

[EXTERNAL EMAIL]

Ms. Byrne,

To the extent that the pending modification application is seeking an increase to the summer camp registration cap, should the applicable case number be S-2503-**B**?

Soo



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From: Byrne, Kathleen <Kathleen.Byrne@montgomerycountymd.gov>

Sent: Tuesday, September 30, 2025 10:31 AM

To: Soo Lee-Cho <sleecho@bregmanlaw.com>; Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>; Grace Bogdan <grace.bogdan@montgomeryplanning.org>; Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>; Coveyou, Michael <Michael.Coveyou@montgomerycountymd.gov>; Jay, Barbara <Barbara.Jay@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>

Cc: Guisao-Ospina, Jony <Jony.Guisao@montgomerycountymd.gov>

Subject: [EXTERNAL]RE: [EXTERNAL]CBA-1174-E Holton Arms, Notice of Hearing

Soo and Grace,

We are happy to add the two additional case numbers to the caption. It technically may not be necessary, but out of an abundance of caution we will reference all prior BOA case numbers in the caption on the notice and any other documents issued by OZAH going forward. The caption will list the following case #s CBA-1174-E, S-2467-A, S-2503-A, S-516, and S-729. OZAH will coordinate with the BOA to make sure we have copies the most recent decisions related to those case numbers and we will upload them on the OZAH website.

Katy Byrne

Kathleen E. Byrne

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From: Soo Lee-Cho <sleecho@bregmanlaw.com>
Sent: Tuesday, September 30, 2025 10:09 AM
To: Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>; Grace Bogdan <grace.bogdan@montgomeryplanning.org>; Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>; Coveyou, Michael <Michael.Coveyou@montgomerycountymd.gov>; Jay, Barbara <Barbara.Jay@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>
Cc: Guisao-Ospina, Jony <Jony.Guisao@montgomerycountymd.gov>; Byrne, Kathleen <Kathleen.Byrne@montgomerycountymd.gov>
Subject: RE: [EXTERNAL]CBA-1174-E Holton Arms, Notice of Hearing

[EXTERNAL EMAIL]

Additionally, I've recently been corresponding with Planning and Board of Appeals staff on the need to include the School's other special exception case numbers in the caption of the case.

In particular, **Case No. S-2503-A** appears to have been the last case number used for the School's summer camp approvals. And while the currently pending modification application does not involve any changes to the School's daycare operation, it may be prudent to also reference, the case number associated with the daycare approval, which is Case No. S-2467.

Please see attached.

Soo



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From: Soo Lee-Cho

Sent: Tuesday, September 30, 2025 9:58 AM

To: 'Johnson, Nana' <Nana.Johnson@montgomerycountymd.gov>; Grace Bogdan <grace.bogdan@montgomeryplanning.org>; Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>; Coveyou, Michael <Michael.Coveyou@montgomerycountymd.gov>; Jay, Barbara <Barbara.Jay@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>

Cc: Guisao-Ospina, Jony <Jony.Guisao@montgomerycountymd.gov>; Byrne, Kathleen <kathleen.byrne@montgomerycountymd.gov>

Subject: RE: [EXTERNAL]CBA-1174-E Holton Arms, Notice of Hearing

Nana,

This notice doesn't appear to include the 4th element of the modification request that was added as part of Applicant's submission on September 12th, which is the incorporation of administrative modification previously approved by the Board of Appeals related to the change of use of the Granger House. Is there a reason the below was not included in the description of the modification request in the Notice?

**PETITIONER'S REVISED STATEMENT OF JUSTIFICATION AND
SUMMARY OF PROOF**

September 12, 2025

Petitioner, Holton-Arms School ("Holton-Arms", "Holton", or the "School"), hereby submits this Statement of Justification in support of its Major Modification Application to permit (1) an increase in its student enrollment cap from 670 to 870, (2) an increase in its summer camp registration cap from 665 to 970, (3) greater flexibility in third-party ancillary use of campus facilities and (4) incorporation of previous Board of Appeals administrative approval regarding Granger House ("Application"). The Holton-Arms campus, located at 7303 River Road, Bethesda, Maryland, 20817 ("Subject Property"), is classified in the R-200 and R-90 Zones. Pursuant to Section 7.7.1.B.1 and Section 7.7.1.B.3.c of the Montgomery County Zoning Ordinance, this Application will be reviewed under the standards and procedures of the zoning ordinance in effect prior to October 29, 2014 (the "2004 Zoning Ordinance").

d. Incorporation of Previous Change of Use for Granger House Administratively Granted by Board of Appeals

The Board of Appeals administratively approved a change of use of the Granger House, which formerly served as the on campus residence of the head of school, to facilitate as an interim library and supplemental classroom location during construction of the Marriott Library/Learning Commons project. With the library project now complete, the School seeks to retain the Granger House as an auxiliary administrative office location for the long-term, as opposed to having to revert back to residential use. The Board's Opinion is excerpted below for ease of reference.

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

Stella B. Werner Council Office Building
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**Case No. CBA-1174-D
PETITION OF THE HOLTON ARMS SCHOOL**

RESOLUTION TO MODIFY SPECIAL EXCEPTION
(Resolution Adopted July 26, 2023)
(Effective Date of Resolution: August 4, 2023)

The Board of Appeals has received a letter, dated July 18, 2023, from Soo Lee-Cho, Esquire, on behalf of The Holton Arms School. Ms. Lee-Cho requests an administrative modification of the School's special exception to allow "renovation and use of the former Head of School's on-campus residence, known as the Granger House." Ms. Lee-Cho states in her letters that "[t]he School seeks to renovate the first floor with classrooms and conference rooms as well as incorporate required ADA access improvements needed to be able to use the Granger House as a temporary library and associated staff office facility" while the School finishes the improvements to the Marriott Library and Learning Commons addition that were approved by the Board on June 8, 2022.

Ms. Lee-Cho's letter details the proposed changes to the Granger House, as follows:

... the 1st floor of the house will be converted into temporary business offices and two classrooms. The existing basement and 2nd floor will be unoccupied. The existing 1st floor full bathroom will be renovated into an ADA compliant bathroom. The interior stairs will be closed off to render the floors above and below not accessible. On the exterior, an ADA ramp will be built to allow for access to the front entrance. The existing range in the existing kitchen will be removed. The existing living, dining, and library will be converted to classroom and conference room spaces. A more detailed Site Plan (**Exhibit C**) and architectural floor plans (**Exhibit D**) are also provided in support of this modification request.

As noted above, she includes a Site Plan and architectural plans with her request.

Ms. Lee-Cho's letter states that because the Granger House was previously used as a residence for the Head of School, the proposed changes constitute a "change of use" for this building, which her letter states had "continued to be identified as 'residential' despite its location on a private educational institution site." Because of this, Ms. Lee-Cho's letter states that the Department of Permitting Service is requiring that the use and

occupancy of the Granger House "be revised to educational use, with ancillary business/office use." Her letter states that this change in the use of the Granger House will not result in any "increased occupancy on the school site" because the people in the Granger House will all have been "relocated from elsewhere on the School's campus, i.e., Marriott Library."

Ms. Lee-Cho states in her letter that the "requested renovation of the Granger House to provide limited and temporary Library space and associated staff office facilities while the Marriott Library renovation/Learning Commons addition...is completed, will not substantially change the nature, character or intensity of the School's special exception use, will not negatively impact traffic in any way, will not otherwise adversely affect the surrounding neighborhood." Thus she asserts that the requested modification can be granted administratively.

The subject property is Lot N-624, Parcel 2, and Part of Lots 6 and 7, Outlot A, Block B, Burning Tree Valley Subdivision, located at 7303 River Road in Bethesda, Maryland, in the R-90 and R-200 Zones.

The Board of Appeals considered the modification request at a Worksession held on July 26, 2023. Ms. Lee-Cho was present at the Worksession on behalf of the School, along with William Spack, AIA, of cox graae + spack architects. Ms. Lee-Cho explained that in seeking building permits for the previously granted modification involving the School's Marriott Library renovation and Learning Commons addition,¹ the School was informed by the County's Department of Permitting Services that the proposed relocation of library resources and staff to the School's Granger House would require a modification of the special exception because of the change in the use of the Granger House building (residential to educational). She stated that the Granger House was previously used as a residence by the Head of School. Ms. Lee-Cho stated that the incoming Head of School will reside elsewhere for the duration of the Marriott Library/Learning Commons construction, and that when that construction is completed and these renovated/new School facilities are operational, the Granger House will once again be used as a residence for the Head of School. Thus she noted that the requested modification is for interim use of the Granger House while the Marriott Library facility and Learning Commons space are under construction.

Mr. Spack stated that the entrance to the Granger House and its first floor bathroom were being made ADA-compliant. He stated that the School plans to block access to the upper level of the house. In response to a Board question, Mr. Spack stated that the footprint of the Granger House is not changing. He estimated that the Marriott Library/Learning Commons construction would take about a year.

Because Case No. CBA-1174-D was approved prior to October 30, 2014, under Section 59.7.7.1.B of the current Zoning Ordinance, this modification request must be reviewed under the standards and procedures in effect on October 29, 2014, unless the applicant elects otherwise. Section 59-G-1.3(c)(1) of the 2004 Zoning Ordinance provides:

¹ This construction was authorized by the Board's June 8, 2022, modification of this special exception.

If the proposed modification is such that the terms or conditions could be modified without substantially changing the nature, character or intensity of the use and without substantially changing the effect on traffic or on the immediate neighborhood, the board, without convening a public hearing to consider the proposed change, may modify the term or condition.

Based on the record before it, the Board finds that the proposed changes to the Granger House, as described herein and in Ms. Lee-Cho's letter, and as shown on the attachments to that letter, will not substantially change the nature, character, or intensity of the use or its effect on traffic or on the immediate neighborhood, and thus can be granted. The Board notes that the proposed renovations to the Granger House are modest in scope, and that the Granger House is interior to the School's campus. The Board further notes that the anticipated use of the Granger House for educational (and office) purposes is only for the duration of the Marriott Library/Learning Commons construction, that the anticipated use of the Granger House will be by persons who would already be on the School grounds but have been displaced by that construction, and that this use will therefore not increase the number of people who would otherwise be on campus. Finally, the Board finds that the proposed modification will have no effect on the other existing operations at the School.

On a motion by John H. Pentecost, Chair, seconded by Richard Melnick, Vice Chair, with Caryn Hines, Laura Seminario-Thornton, and Alan Sternstein in agreement:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the record in Case No. CBA-1174-D is re-opened to receive Soo Lee-Cho's July 18, 2023, letter, with attachments; and

BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that the request to modify the special exception is granted on the condition that this modification shall only be effective for such time as is necessary for the School to complete the construction on the Marriott Library and Learning Commons space and place the renovated Library and new Learning Commons space into service for the School; and

BE IT FURTHER RESOLVED by the Board of Appeals for Montgomery County, Maryland that all terms and conditions of the original special exception, together with any modifications granted by the Board of Appeals, remain in effect.



John H. Pentecost, Chair
Montgomery County Board of Appeals

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland



Soo Lee-Cho

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From: Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>

Sent: Tuesday, September 30, 2025 9:47 AM

To: Grace Bogdan <grace.bogdan@montgomeryplanning.org>; Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>; Coveyou, Michael <Michael.Coveyou@montgomerycountymd.gov>; Jay, Barbara <Barbara.Jay@montgomerycountymd.gov>; Butler, Patrick <patrick.butler@montgomeryplanning.org>

Cc: Soo Lee-Cho <sleecho@bregmanlaw.com>; Guisao-Ospina, Jony <Jony.Guisao@montgomerycountymd.gov>

Subject: [EXTERNAL]CBA-1174-E Holton Arms, Notice of Hearing

Importance: High

Good Morning All,

Please see attached Notice of Hearing issued today by the Hearing Examiner. A copy of this will be mailed to all parties of record via USPS shortly. Thank you

Nana Yaa A. Johnson

Administrative Specialist II

Office of Zoning and Administrative Hearings

100 Maryland Ave #200

Rockville, MD 20850

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