

**BOARD OF APPEALS  
for  
MONTGOMERY COUNTY**

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[www.montgomerycountymd.gov/content/council/boa/index.asp](http://www.montgomerycountymd.gov/content/council/boa/index.asp)

**CORRECTED WORKSESSION MINUTES**

**Second Floor Davidson Memorial Hearing Room**

**Wednesday, April 20, 2011, 9:30 a.m.**

**ACTION ITEMS:**

1. Minutes, April 6, 2011 Worksession.

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

2. **A-6328, Appeal of Thomas F. Dowling** (Department of Permitting Services (DPS) – Issuance of Building Permit Nos. 528286 and 528287). Letter to the Board from William Hickey, Esquire, requesting that the administrative appeal be withdrawn without prejudice.

Action: Dismissed the administrative appeal as withdrawn without prejudice, (CJS/SBB, 5-0).

3. **CBA-2197-B, Petition of The Heights School** (private educational institution). Letter from Alvaro de Vicente, Headmaster, submitting the school's annual report.

Action: Re-opened the record to include Mr. de Vicente's letter and the school's annual report, (SBB/WSB, 5-0).

4. **S-1875, Petition of Victor Landa** (private educational institution). Letter from the petitioner requesting an administrative modification. [Large exhibits: rear elevation, side footer information, floor plan, roof deck framing plan, electrical and mechanical plan].

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

5. **S-2637, Petition of Sturbridge Willowbrook LLC** (independent living condominium/senior adult housing). Memorandum from the Hearing Examiner notifying the Board that the special exception has been withdrawn and that the petitioner is requesting a refund of the filing fee.

Action: (1) Dismissed the special exception as withdrawn; (2) granted a 50% (\$4875.) refund of the filing fee, (DKP/SBB, 5-0).

#### **DECISION ITEMS:**

6. **S-2786, Petition of Juan Jose Melendez** (accessory apartment). Hearing Examiner's Report and Recommendation.

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

7. **S-2799, Petition of Tyler and Anne Holt** (accessory apartment). Hearing Examiner's Report and Recommendation.

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

#### **PENDING ITEMS:**

8. **A-6117, Appeal of Mary Hemingway and Edward Purich for Cloverly Civic Association** (Department of Permitting Services (DPS) – Issuance of Building Permit No. 402806). Opinion and Order from the Circuit Court. (1) Re-opened the record to include the Opinion and Order from the Circuit Court; (2) action by BOA deferred until 7/6/09. [W/S 6/17/09].
9. **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 3/10/10].
10. **S-894, Petition of Joan C. Wright** (major home occupation). Letter to the Board from the petitioner requesting an administrative modification. Item deferred for additional information regarding the number of employees, size of the workspace, renewal period. [W/S 3/11/09].

**PENDING ITEMS (continued):**

11. **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 4/30/08].

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