

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
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www.montgomerycountymd.gov/content/council/boa/index.asp

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, January 25, 2012, 9:30 a.m.

ACTION ITEMS:

1. Minutes, January 11, 2012 Worksession.

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

2. **Order Extending Time for the Board's Written Opinion** for 30 days is required in the following cases:

A-6354, Petition of Marjorie H. Hamilton (one-story addition/garage).

Action: Granted the order extending time, (WSB/CJS, 5-0).

3. **A-6344, Appeal of Maureen McNulty** (Department of Permitting Services (DPS) – Issuance of Building Permit No. 545156). Letter to the Board from Michele Rosenfeld, Esquire, requesting that a letter to Susan Scala-Demby, DPS, be included in the record.

Action: Re-opened the record to include Ms. Rosenfeld's letter with attachment, (CJS/WSB, 5-0).

4. **A-6356, Appeal of Bradley Chod** (Department of Environmental Protection (DEP) – Letter dated November 16, 2011). Letter to the Board from Jody Kline, Esquire, withdrawing the administrative appeal.

Action: (1) Dismissed the administrative appeal as withdrawn; (2) granted 100% (\$220.) refund of the filing fee, (???????, 5-0).

5. **A-6359, Appeal of Mary Belle Feltenstein** (Department of Permitting Services – Service Request Resolution, SR No. 199961559). Letter to the Board from Martin Hutt, Esquire, requesting to intervene.

Action: Granted the request to intervene, (SBB/DKP, 5-0).

6. **A-6361, Appeal of Pamela Curran, David and Joni McGuinness, and Andrew Zettler** (Department of Permitting Services – Issuance of Building Permit No. 534188). Letter to the Board from Ronald Bolt, Esquire, requesting a postponement.

Action: (1) Granted the requested postponement; (2) granted the request to intervene; (3) the pre-hearing conference date did not change, (CJS/SBB, 5-0).

7. **S-274-D, Petition of Suburban Hospital** (hospital). Letter to the Board from Leslie Weber, Senior Vice President, submitting the 2011 minutes from the Community Liaison Council.

Action: Re-opened the record to include Ms. Weber's letter with attachments, (SBB/CJS, 5-0).

8. **S-1011, Petition of Michael and Johanna Cohen Leshner** (accessory apartment). Letter to the Board from Phil Beilke requesting a transfer of the special exception.

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

9. **S-1119, Petition of Mr. and Mrs. Norman R. Hollies** (accessory apartment). Letter to the Board from Hamad Hadi Sichani and Nasim Amini Abbas requesting a transfer of the special exception.

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

10. **S-1138, Petition of Peter A. Bunten** (accessory apartment). Letter to the Board from Leda M. Black requesting a transfer of the special exception.

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

11. **S-2341, Petition of Lynne Darring** (accessory apartment). Memorandum to the Board from Cynthia Caudillo, Inspector, Department of Housing and Community Affairs (DHCA), notifying the Board that the special exception has been abandoned and requesting that it be revoked. Also included is a letter of confirmation from the petitioner.

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

12. **S-2733, Petition of Barbara Beelar** (accessory apartment). Memorandum to the Board from Ivan Eloisa, Inspector, DHCA, notifying the Board that the special exception is in violation and requesting that it be revoked.

Action: Schedule show cause hearing, (DKP/CJS, 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 3/10/10].
14. **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 4/30/2008].
15. **S-2759, Petition of Darnestown Development, LLC t/a Goddard School** (child day care facility). Letter to the Board from Stephen Kaufman, Esquire and Debra Borden, Esquire, requesting a transfer of the special exception and an administrative modification. [Large exhibits: cover sheet, special exception site plan, special exception landscape plan/2 sheets, preliminary subdivision plan]. (1) Granted the transfer of the special exception; (2) deferred the administrative modification request until M-NCPPC's approval of the pending request for revisions to the preliminary plan. [W/S 9/14/2011]. (1) Re-opened the record to include Ms. Martin's letter; (2) Ms. Martin's request will be deferred until the administrative modification request is taken up by BOA. [W/S 12/7/2011].

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