

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, Maryland 20850
(240) 777-6600**

www.montgomerycountymd.gov/content/council/boa/index.asp

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, June 20 2012, 9:30 a.m.

ACTION ITEMS:

1. Minutes, June 6, 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-6378, Petition of Cheryl Barnds (a two-story addition and a deck);

A-6382, Petition of Ellen L. and Brian A. Kadow (existing single-family dwelling).

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

2. **A-6386, Appeal of Mark D. and Patience B. Ball** (Historic Preservation Commission - Decision and Order dated May 2, 2012). Motion to postpone hearing from Terri Jones, Assistant County Attorney.

Action: Granted the request to postpone the public hearing, (SBB/CJS, 5-0).

3. **S-550-A [S-550, CBA-2998], Petition of Moussa Moadel** (antique shop). Letter to the Board from Terri Downs requesting a business name change.

Action: (1) Granted the name change for the special exception, (DKP/CJS, 5-0); (2) denied the request for change of hours, (CJS/CGT, 3-2/statutory denial); (3) granted the request for change of hours, (SBB/DKP, 3-2/statutory denial).

4. **S-1720, Petition of Shantilal M. Thakkar** (home occupation) Memorandum from Heather Gottke, Inspector, Department of Permitting Services (DPS), 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 property owner.

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

5. **S-2753, Petition of Kourosh Mehrabian** (non-resident medical practitioner). Memorandum from Martin Grossman, Director, Office of Zoning and Administrative Hearings, notifying the Board that the special exception has been withdrawn. Also included is a letter from William Chen, Esquire, requesting a refund of the filing fee.

Action: (1) Dismissed the special exception as withdrawn; (2) granted a 50% (\$4,125.) refund of the filing fee, (DKP/CJS, 5-0).

PENDING ITEMS:

6. **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 3/10/2010].
7. **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].
8. **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].
9. **S-2820, Petition of Fairland Animal Hospital, Inc.** (veterinary hospital). Hearing Examiner's Report and Recommendation. Also included is a letter from Jody Kline, Esquire, requesting oral argument. (1) Granted the request for oral argument. (2) deferred the Hearing Examiner's Report and Recommendation. [W/S 2/29/2012].

Board Members

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