

**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 6, 2012, 9:30 a.m.

ACTION ITEMS:

1. Minutes, May 23, 2012 Worksession.

Action: Approved, (CJS/SBB, 4-0/DKP/abstained).

2. **S-1646, Petition Satish P. Shah** (accessory apartment). Memorandum from Jason White, Inspector, Department of Housing and Community Affairs (DHCA), notifying the Board that the special exception has been abandoned and requesting that it be revoked.

Action: Schedule show cause hearing, (SBB/CJS, 5-0).

3. **S-2514, Petition of Michael Lenett** (accessory apartment). Memorandum from Jason White, Inspector, 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 special exception as abandoned, (SBB/CJS, 5-0).

4. **S-2732, Petition of M. Wajeed Khan, M.D.** (nonresident professional office). Letter to the Board from Stanley Abrams, Esquire, requesting an extension of time.

Action: Granted extension of time for 12 months, (CJS/WSB, 5-0).

5. Returning Item. **S-2751, Petition of Victory Oaks, Inc.** (elderly and handicapped housing). Letter to the Board from Jody Kline, Esquire, and Damon Orobona, Esquire, requesting an administrative modification. [Large exhibits: trellis layout and location, amended landscape plans/2 sheets].

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

6. **S-2816, Petition of T-Mobile Northeast, LLC and Ralph and Margaret Gibson** (telecommunications facility). Letter from Edward Donohue, Esquire, requesting reconsideration of Condition No. 10 of the Board's Opinion dated 5/4/2012.

Action: Denied reconsideration of Condition No. 10 of the Board's Opinion, (DKP/CGT, 4-0/WSB/recused).

PENDING ITEMS:

7. **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].
8. **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].
9. **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].
10. **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

Catherine G. Titus, Chair
David K. Perdue, Vice Chair
Walter S. Booth
Carolyn J. Shawaker
Stanley B. Boyd

Staff:

Barbara Jay, Associate County Attorney
Katherine Freeman, Executive Director
Hermene Jones, Administrative Specialist