

BOARD OF APPEALS  
for  
MONTGOMERY COUNTY

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

**Case No. S-2500**  
(OZAH Referral No. 02-15)

**PETITION OF PRIMARY MONTESSORI DAY SCHOOL**

OPINION OF THE BOARD

(Hearings held April 19, 2002, May 10, 2002)  
(Effective Date of Opinion: July 3, 2002)

Case No. S-2500 is an application for a special exception pursuant to Section 59-G-2.19 of the Zoning Ordinance to permit the construction and operation of a private educational institution.

The subject property is Parcels P50 and P57, located at 14132-14149 Travilah Road, Potomac, Maryland, in the R-200/TDR-3 Zone.

On December 12, 2001 the Board of Appeals referred the case to the Hearing Examiner for Montgomery County to conduct the public hearing and prepare a report and recommendation. Hearings were held April 19 and May 10, 2002. On June 10, 2002, the Hearing Examiner forwarded a Report and Recommendation to the Board of Appeals.

The Board considered the Hearing Examiner's report at its Worksession on June 26, 2002. After careful consideration, the Board voted to accept the Hearing Examiner's report and recommendation to approve the special exception, with conditions.

Decision of the Board: Requested Special Exception **granted**, subject to the conditions in the Hearing Examiner's Report and Recommendation and subject further to the following three additional conditions:

1. The Petitioner must provide a six foot high fence enclosure around the stormwater management pond.
2. Petitioner is bound by The Transportation Management Plan submitted to the record on May 3, 2002 (Exhibit No. 43 ).

3. There shall be no queuing of vehicles on to Travilah Road.

On a motion by Allison Ishihara Fultz, seconded by Angelo M. Caputo, with Louise L. Mayer, Donna L. Barron and Donald H. Spence, Jr., Chairman in agreement, the Board adopted the following Resolution:

BE IT RESOLVED by the Board of Appeals for Montgomery County Maryland that the Report and Recommendation of the Hearing Examiner in Case No. S-2500, Petition of Primary Montessori Day School (OZAH Referral No. 2-15) is adopted as the Resolution required by law as its decision in the above-entitled case.

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Donald H. Spence, Jr.  
Chairman, Montgomery County Board of Appeals

Entered in the Opinion Book  
of the Board of Appeals for  
Montgomery County, Maryland  
this 3<sup>rd</sup> day of July, 2002.

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Katherine Freeman  
Executive Secretary to the Board

**NOTE:**

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date of the Opinion is mailed and entered in the Opinion Book (See Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County in accordance with the Maryland Rules of Procedure.