

2. Petitioner must stripe the parking lot at the rear of the site for 16 parking spaces, as shown on the Site Plan. The two spaces shown at the west of the end of the parking lot must be striped diagonally to indicate that no parking is permitted, and each one must be posted with a sign stating “No Parking – Turnaround Area.”
3. Petitioner must post signs stating “No Parking in Driveway” in at least two conspicuous locations along each side of the driveway, including one in the immediate vicinity of the Taiwan Culture Center building.
4. Petitioner must inform all members, in writing, that parking in the driveway or on local streets is prohibited at all times. A copy of such notice shall be provided to the Board.
5. Petitioner must screen the view of the parking lot and driveway from the east by planting a row of emerald green arborvitae as shown on the Site Plan, approximately five feet apart, with a minimum height of six feet at planting. Planting must be accomplished during the first appropriate planting season for arborvitae after approval of the special exception.
6. Petitioner must replace any perimeter plantings (Leland cypress and arborvitae) that die, during the next appropriate planting season, with a plant of the same species and reasonable size.
7. The front parking area, located between the site entrance and the building, must be reserved for handicapped-accessible parking. If applicable regulations under the Americans with Disabilities Act (“ADA”) do not require traditional paving and striping, Petitioner may maintain the present brick condition of the parking area, provided that a least one sign is posted indicating that parking in this area is restricted to vehicles permitted to park in handicapped-accessible parking spaces. It will be Petitioner’s responsibility to determine what is required under the ADA.
8. Regular activities are limited to the hours between 10:00 a.m. and 3:00 p.m. Monday through Friday.
9. Special activities shall be limited as follows:
 - a. Weekday movies limited to one day per week. During the months of June, July and August, movie showings must end before 8:00 p.m. so that all persons leave the premises before dark. During the other months of the year, movie showings

must end by 3:30 p.m. to avoid adding to peak period traffic congestion.

- b. Saturday and Sunday seminar functions, limited to one per month, between the hours of 1:00 p.m. and 5:00 p.m.
 - c. Open house events, limited to one Saturday in January, between 10:00 a.m. and 2:00 p.m., and one Saturday in August, between 2:00 p.m. and 6:00 p.m. Adjacent and confronting neighbors must be notified of the dates and times of each open house, in writing, at least one month in advance.
10. Meetings of the Board of Directors may take place on site during regular weekday hours or on Saturday mornings. No such meetings may take place on site on Sundays.
11. Attendance at all events must be strictly limited as follows (or by any lower occupancy limit that may apply to the building pursuant to the Fire Code):
- a. No more than 20 people on site at one time during any weekday activity.
 - b. No more than 30 people on site at any one time during weekend seminar functions.
 - c. No more than 60 people on site at any one time during the two open houses.
12. Petitioner must maintain an accurate, up-to-date log of all persons visiting the Center, and make this log available to county officials upon request.
13. No more than 16 vehicles may be permitted on site at any one time, plus two handicapped-accessible vehicles in the front parking area. Vehicles parked on site must be limited to automobiles, light trucks or vans.
14. Petitioner may maintain the existing sign on the building, and may install an additional sign on the mailbox only if such sign complies with the provisions of the county sign ordinance, Article 59-F. A representation of any sign used must be submitted to the Board for its records.
15. Petitioner must establish a Community Liaison Council, to be comprised of no more than four representatives of the Taiwan Culture Center, three to four representatives of the local community, and the People's Counsel of Montgomery County as *ex officio* member. No member of the Taiwan Culture Center may serve as a local community representative on the Community Liaison Council. Membership on the

Community Liaison Council must be offered first to the owner of the adjacent home to the east and the two homes directly confronting the subject site across Needwood Road, then to other residents of the immediate area. If more than four community members desire to sit on the Community Liaison Council, the Petitioner may, at its discretion, allow additional community representatives. The Community Liaison Council shall meet at least three times per year, spaced out roughly evenly during the year. The People's Counsel and community representatives shall be consulted regarding their availability before meeting dates are established.

16. The Petitioner must submit an annual report to the Board of Appeals, in October of each year, describing the Petitioner's compliance with the terms and conditions of the special exception, the meetings of the Community Liaison Council, and how the Petitioner responded to any concerns or complaints raised by members of the Community Liaison Council or other area residents during the year.
17. The Board retains jurisdiction to impose a condition requiring the installation of a chain across the driveway after dark, if future evidence so warrants.
18. The Hearing Examiner shall convene follow-up hearings during the Fall of 2007 and the Fall of 2008 to assess the Petitioner's level of compliance with the terms and conditions of the special exception. In conjunction with such hearings, the Hearing Examiner may request one or more surprise site inspections by the Department of Permitting Services. The Hearing Examiner shall make a recommendation to the Board, following each such hearing, as to whether the evidence (a) suggests that the special exception should be continued without modification, or (b) indicates a lack of compliance with the terms and conditions of the special exception, resulting in adverse impacts to immediate neighbors or the general neighborhood that warrant either modification of the terms and conditions or revocation of the special exception.
19. Petitioner must obtain and satisfy the requirements of all licenses and permits, including but not limited to building permits or a use-and-occupancy permit, necessary to implement the special exception as granted herein. Petitioners shall at all times ensure that the special exception use and facility comply with all applicable codes (including but not limited to building, life safety and handicapped accessibility requirements), regulations, directives and other governmental requirements.

On a motion by Wendell M. Holloway, seconded by Caryn L. Hines, with Catherine G. Titus, and Donna L. Barron, Vice-Chair in agreement and Allison Ishihara Fultz, Chair, necessarily absent, the Board adopted the following Resolution:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the opinion stated above is adopted as the Resolution required by law as its decision on the above-entitled petition.



Donna L. Barron
Vice-Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
this 9th day of January, 2007.

Katherine Freeman
Executive Director

NOTE:

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date 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.

