

**BOARD OF APPEALS  
for  
MONTGOMERY COUNTY**

Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850

[www.montgomerycountymd.gov/content/council/boa/index.asp](http://www.montgomerycountymd.gov/content/council/boa/index.asp)

(240) 777-6600

**Case No. CBA-2437**

**PETITION OF MAMIE L. PRIVETTE**

RESOLUTION TO REVOKE SPECIAL EXCEPTION

(Resolution Adopted April 16, 2008)

(Effective Date of Resolution: May 27, 2008)

The Board of Appeals has received a letter, dated April 4, 2008, from Christian I. Munguia, the owner of the subject property. Ms. Munguia states that she has never operated the captioned special exception, and requests its revocation. The Board has previously received a memorandum from Heather Gottke, Zoning Inspector, advising the Board that the special exception was abandoned. A Show Cause Hearing for revocation of the special exception was scheduled for June 11, 2008. The Board of Appeals granted Case No. CBA-2437 to Mamie L. Privette on September 3, 1968, to permit a child care home.

The subject property is Lot 6, Block DD, Aspen Hill Park Subdivision, located at 4805 Eades Street, Rockville, Maryland 20853, in the R-90 Zone.

The Board of Appeals considered Ms. Munguia's letter at its Worksession on April 16, 2008. Based upon the letter, the Board finds that the special exception is abandoned, and that there is no need for a Show Cause Hearing. Therefore, on a motion by Wendell M. Holloway, seconded by Catherine G. Titus, Vice-Chair, with David K. Perdue and Allison Ishihara Fultz, Chair, in agreement:

**BE IT RESOLVED** by the Board of Appeals for Montgomery County, Maryland that the record in Case No. CBA-2437, Petition of Mamie L. Privette, is re-opened to receive Christian Munguia's letter dated April 4, 2008; and

**BE IT FURTHER RESOLVED** by the Board of Appeals for Montgomery County, Maryland that the Show Cause Hearing in Case No. CBA-2437, Petition of Mamie L. Privette, scheduled for June 11, 2008, is **cancelled**; and

**BE IT FURTHER RESOLVED** by the Board of Appeals for Montgomery County, Maryland that Case No. CBA-2437, Petition of Mamie L. Privette, is **revoked** as abandoned.



Allison Ishihara Fultz  
Chair, Montgomery County Board of Appeals

Entered in the Opinion Book  
of the Board of Appeals for  
Montgomery County, Maryland  
this 27<sup>th</sup> day of May, 2008.

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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. It is each party's responsibility to participate in the Circuit Court action to protect their respective interests. In short, as a party you have a right to protect your interests in this matter by participating in the Circuit Court proceedings, and this right is unaffected by any participation by the County.