

**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

**Hours of Operation: 8:30 a.m. – 4:00 p.m.**

**Case No. CBA-3082**

**PETITION OF KATZEN AND HOTCHKISS, D.P.M., P.C.**

**RESOLUTION TO REVOKE SPECIAL EXCEPTION**

(Resolution Adopted March 19, 2008)

(Effective Date of Resolution: May 2, 2008)

The Board of Appeals has received a memorandum, dated February 21, 2008, from Barbara J. Piczak, Permitting Services Inspector. Ms. Piczak informs the Board that the captioned special exception has been abandoned. She attaches a statement from Larry S. Hotchkiss, D.P.M., which confirms the abandonment. The Board of Appeals granted Case No. CBA-3082 to Dr. Melvin Carver on October 26, 1971, to permit a non-resident medical practitioner's office. In a Resolution effective June 15, 1989, the Board transferred the special exception to Katzen and Hotchkiss, D.P.M., P.C.

The subject property is Lot 12, Block A, Burnt Mills Subdivision, located at 11012 New Hampshire Avenue, Silver Spring, Maryland 20904-2612, in the R-90 Zone.

The Board of Appeals considered Ms. Piczak's memorandum at its Worksession on March 19, 2008. Based upon the memorandum, and the letter from Dr. Hotchkiss, the Board finds that the special exception is abandoned. Therefore, on a motion by Caryn L. Hines, seconded by David K. Perdue, with Wendell M. Holloway 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-3082, Petition of Katzen and Hotchkiss, D.P.M., P.C. is re-opened to receive Barbara Piczak's February 21, 2008 memorandum, with attachments; and

**BE IT FURTHER RESOLVED** by the Board of Appeals for Montgomery County, Maryland that Case No. CBA-3082, Petition of Katzen and Hotchkiss, D.P.M., P.C. is **revoked**, as abandoned.

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Allison Ishihara Fultz  
Chair, Montgomery County Board of Appeals

Entered in the Opinion Book  
of the Board of Appeals for  
Montgomery County, Maryland  
this 2<sup>nd</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.