

**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. S-1441**

**PETITION OF MARIAN F. BROOKS**

RESOLUTION TO REVOKE SPECIAL EXCEPTION

(Resolution Adopted March 12, 2008)

(Effective Date of Resolution: April 18, 2008)

The Board of Appeals has received a letter, dated February 18, 2008, from Donald Brooks, the owner of the subject property. Mr. Brooks informs the Board that the special exception is abandoned, and requests that it be revoked. The Board of Appeals granted Case No. S-1441 to Marian F. Brooks on September 14, 1987, to permit a child care center.

The subject property is Lot 112, Block AA, Mill Creek South Subdivision, located at 17049 Catalpa Court, Rockville, Maryland 20855 in the R-200 Zone.

The Board of Appeals considered Mr. Brooks' letter at its Worksession on March 12, 2008. Based upon the letter the Board finds that the special exception is abandoned. Therefore, on a motion by Caryn L. Hines, seconded by David K. Perdue, with Catherine G. Titus, Vice-Chair and Allison Ishihara Fultz, Chair, in agreement, and Wendell M. Holloway necessarily absent:

**BE IT RESOLVED** by the Board of Appeals for Montgomery County, Maryland that the record in Case No. S-1441, Petition of Marian F. Brooks, is re-opened to receive Donald Brooks' letter dated February 18, 2008; and

**BE IT FURTHER RESOLVED** by the Board of Appeals for Montgomery County, Maryland that Case No. S-1441, Petition of Marian F. Brooks, 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 18<sup>th</sup> day of April, 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.