

**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

(240) 777-6600

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

Case No. S-400

PETITION OF YAMAHA MUSIC SCHOOL

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 Piczak, Permitting Services Inspector. Ms. Piczak informs the Board that the captioned special exception has been abandoned. She attaches a letter from the subject property owner, which confirms the abandonment. The Board of Appeals granted Case No. S-400 on June 10, 1975, to permit a private education institution (music school) on church property. The subject property is Lot 1, Block D, located at 9601 Cedar Lane, Bethesda, Maryland 20814, 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 confirming statement from the property owner, the Board finds that the special exception is abandoned. Therefore, on a motion by Wendell M. Holloway, seconded by David K. Perdue, with Caryn L. Hines 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. S-400, Petition of Yamaha Music School 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. S-400, Petition of Yamaha Music School 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 2nd day of May, 2008.

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.