

**BOARD OF APPEALS  
for  
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building  
100 Maryland Avenue, Room 217  
Rockville, Maryland 20850  
(240) 777-6600**

<http://www.montgomerycountymd.gov/boa/index.html>

**WORKSESSION MINUTES**

**Second Floor Davidson Memorial Hearing Room**

**Wednesday, September 11, 2013**

**ACTION ITEMS:**

1. Minutes, July 31, 2013 Worksession.

Action: Approved, (SBB/CJS, 4-0).

- 2 **A-6404, Petition of Robert and Marsha Aaron (Variance).** Letter to the Board from Robert Aaron requesting reconsideration.

Action: Denied request for reconsideration, (CJS/JHP, 4-0).

3. **A-6410, Appeal of Joshua Castleman, Lois N. Weinberg and Rajni Joshi,** (Administrative Appeal). Letter to the Board from Lois Weinberg requesting refund of the administrative appeal filing fee.

Action: Granted refund of the filling fee, (CJS/SBB, 4-0).

4. **CBA-1174, Petition of Holton-Arms School, Inc.,** (Private Educational Institution). Letter from Elsie Reid, Esquire, submitting revised Forest Conservation Plan for the record. [Large exhibits: final FCS Plans 1-9 sheets].

Action: Re-opened the record to include Ms. Reid's letter with attachments, (JHP/CJS, 4-0).

5. **CBA-1290, Petition of American National Red Cross** (Telecommunications Facility). Letter to the Board from Samantha Mazo, Esquire, requesting an administrative modification

Action: Item deferred until October 16<sup>th</sup> 2013, (consensus).

6. **S-285-E, Petition of Norwood School** (Private Educational Institution). Letter from Ki H, Kim, M-NCPPC informing the Board that the School has complied with the Transportation Management Plan (TMP).

Action: Re-opened the record to include Mr. Kim's letter, (SBB/CJS, 4-0).

7. **S-786-B, Petition of McDonald's USA, LLC.**, (Drive-through Restaurant). Letter to the Board from Christopher Ruhlen, Esquire, submitting an updated elevation for the special exception.

Action: (a) Re-opened the record to include Mr. Rulhen's letter with attachments, (b) requesting status of compliance on conditions 7 and 9, (SBB/CJS, 4-0).

8. **S-2047, Petition of David Mechaly** (Accessory Apartment). Letter to the Board from Rachelle Mechaly requesting the revocation of the special exception.

Action: Revoked the special exception as abandoned, (CJS/SBB, 4-0).

9. **S-2049, Petition of Eva L. Myers** (Non-residential Medical Practitioner's Office). Email to the Board from Eileen Finnegan, requesting an inspection of the special exception.

Action: Item referred to Department of Permitting Services for inspection, SBB/JHP, 4-0).

10. **S-2589, Petition of Dashamir Pulaj** (Accessory Apartment). Letter to the Board from the Petitioner requesting revocation of the special exception.

Action: Revoked the special exception as abandoned, (CJS/SBB, 4-0).

11. **S-2668, Petition of Taiwan Culture Center** (Service Organization). Letter to the Board from Tai Huang, President, submitting the minutes of Community Liaison Meeting held on March 12, 2013 and also the schedule for the next meeting.

Action: Re-opened the record to include Mr. Huang's letter, (CJS/JHP, 4-0).

12. **S-2721, Petition of Washington Adventist Hospital** (Hospital). Letter to the Board from the Patrick O'Neil, Esquire, requesting extension of time to implement the special exception.

Action: Granted one year extension of time to implement, (JHP/SBB, 4-0).

13. **S-2799, Petition of Tyler and Anne Holt** (Accessory Apartment). Letters to the Board from the Petitioners requesting to maintain the special exception, also included is a memorandum from Lynn McCreary, Department of Housing and Community Affairs.

Action: Schedule show cause hearing, (CJS/SBB, 4-0).

- 14. S-2863, Petition of Costco Wholesale Corporation** (Automobile Filling Station). Motion for Summary Disposition to the Board from the Kensington Heights Civic Association and Mark R. Adelman. Also included is the response from Costco.

Action: Item referred to the Hearing Examiner, (CJS/JHP, 4-0).

- 15. S-2842, Petition of Someswara Bekkam** (Accessory Apartment). Memorandum to BOA from Cynthia Lundy, Department of Housing and Community Affairs. recommending revocation of the special exception.

Action: Schedule show cause hearing, (CJS/SBB, 4-0).

**PENDING ITEMS:**

- 16. S-763 [S-763-A], Petition of Silver Spring Temple and Library Association** (Service Organization). Letter to the Board from Sean Hughes, Esquire, requesting an administrative modification. [Large exhibits: title sheet, site survey, roof and equipment location plan, building elevations, equipment details]. Deferred administrative modification request until a special exception application has been approved for the telecommunications facility. [W/S 3/10/2010].

- 17. S-2145, Petition of Southwestern Bell Mobile Systems, Inc.** (Telecommunications Facility). Letter to the Board from Karmen Rajamani, Zoning Manager, requesting a transfer of the special exception. Item deferred for confirmation of the transfer from Southwestern Bell Mobil Systems, Inc. [W/S 4/30/2008].

- 18. CBA-2091-A [S-155 & S-342], Petition of Montgomery Square Copenhaver Swim Club**, (Community Swimming Pool). Letter to the Board from Rita Morris requesting to allow Potomac Farm Market to operate on the special exception site. Item deferred for additional information, (consensus). [W/S 7/31/2013].

**Board Members**

Catherine G. Titus, Chair - Absent  
David K. Perdue, Vice Chair  
Carolyn J. Shawaker  
Stanley B. Boyd  
John H. Pentecost

**Staff**

Barbara Jay, Associate County Attorney  
Katherine Freeman, Executive Director