

**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

Case No.S-2837

PETITION OF JUSTIN BRIDGETT

OPINION OF THE BOARD

(Opinion Adopted September 26, 2012)
(Effective Date of Opinion: October 4, 3012)

Case No. S-2837 is an application for a special exception, under Section 59-G-2.00 of the Zoning Ordinance, to permit an accessory apartment. The subject property is Lot 1, Block 53, Wheaton Woods Subdivision, located at 13500 Keating Street, Rockville, Maryland 20853, in the R-60 Zone.

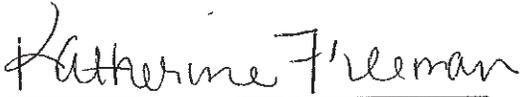
The Hearing Examiner for Montgomery County held a hearing on the application on July 19, 2012, closed the record in the case on July 30, 2012, and on August 29, 2012 issued a Report and Recommendation for approval of the special exception.

Decision of the Board: Special Exception **Granted** Subject
to Conditions Enumerated Below.

The Board of Appeals considered the Report and Recommendation at its Worksession on September 26, 2012. After careful consideration and review of the record in the case, the Board adopts the Report and Recommendation and grants the special exception subject to the following conditions:

1. The Petitioner is bound by his testimony, representations and exhibits of record to the extent that such testimony and evidence are identified in the Hearing Examiner's Report and Recommendation and in this Opinion;
2. The Petitioner must comply with the conditions set forth in the Memorandum of Valerie Whitby, Housing Code Inspector, Division of Housing and Code Enforcement (Exhibit 12):

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
this 4th day of October 2012.



Katherine Freeman
Katherine Freeman
Executive Director

NOTE:

See Section 59-A-4.53 of the Zoning Ordinance regarding the twenty-four months' period within which the special exception granted by the Board must be exercised.

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.