

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
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WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, October 12, 2011, 9:30 a.m.

ACTION ITEMS:

1. Minutes, September 14 and 28, 2011 Worksessions.

Action: Approved 9/14/2011 minutes, (WSB/SBB, 5-0); approved 9/28/2011 minutes, (CJS/WSB, 5-0).

2. **A-6351 [S-2814], Petition of Patricia Dunn** (side lot line setbacks). Letter to the Board from David Brown, Esquire, requesting the consolidation of the special exception and variance public hearings and to pay the higher of the two filing fees. A hearing on the special exception is scheduled before the Hearing Examiner for March 19, 2012.

Action: (1) Granted the consolidation of the special exception and variance hearings, (2) waived the variance filing fee, (CJS/SBB, 5-0).

3. **CBA-2164, Petition of 8830 Associates Limited Partnership** (off-street parking). Letter from Brian Ditzler, President, Woodside Park Civic Association, requesting a public hearing on the Board's Resolution dated 9/23/2011.

Action: Granted the request for a public hearing, (SBB/CJS, 4-0 /DKP/recused).

4. **CBA-2581-B, Petition of Rock Creek Village Associates Limited Partnership and Exxon Corporation** (automobile filling station). Letter to the Board from Jody Kline, Esquire, requesting an administrative modification.

Action: (1) Granted the transfer of the special exception; (2) granted the administrative modification, (CJS/WSB, 5-0).

5. **S-285-E, Petition of The Norwood School** (private educational institution). Letter from Ki Kim, Transportation Planner, M-NCPPC, with notification of compliance by the petitioner with Condition No. 10 of the Board's Opinion dated 12/16/2010.

Action: Re-opened the record to include Mr. Kim's letter, (DKP/SBB, 5-0).

6. **S-938, Petition of Edith M. Ott** (accessory apartment). Letter from Ronald K. Ott requesting a transfer of the special exception.

Action: Granted the transfer of the special exception, (SBB/CJS, 5-0).

7. **S-959, Petition of Patrick McCracken and Susan P. Schreiber** (accessory apartment). Memorandum from Stephen Morris, Inspector, Department of Housing and Community Affairs (DHCA), notifying the Board that the special exception has been abandoned and requesting that it be revoked. A written request for revocation from the property owner is also included.

Action: Revoked the special exception as abandoned, (WSB/CJS, 5-0).

8. **S-1581, Petition of Ontogeny, Inc.** (major home occupation). Memorandum from Barbara Piczak, Department of Permitting Services (DPS), notifying the Board that the special exception has been abandoned and requesting that it be revoked. A written request for revocation from the property owner is also included.

Action: Revoked the special exception as abandoned, (CJS/SBB, 5-0).

9. **S-2681, Petition of Alla Bahktina** (accessory apartment). Memorandum from Lynn McCreary, Inspector, DHCA, notifying the Board that the special exception has been abandoned and requesting that it be revoked. A written request for revocation from the petitioner is also included.

Action: Revoked the special exception as abandoned, (SBB/WSB, 5-0).

10. **S-2756, Petition of Gokaldas C. and Josephine A. Parikh** (accessory apartment). Memorandum from Elba Benitez, Inspector, DHCA, notifying the Board that the special exception has been abandoned and requesting that it be revoked. A written request for revocation from the petitioner is also included.

Action: Revoked the special exception as abandoned, (CJS/SBB, 5-0).

PENDING ITEMS:

11. **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 3/10/10].
12. **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 4/30/08].
13. **S-2759, Petition of Darnestown Development, LLC t/a Goddard School** (child day care facility). Letter to the Board from Stephen Kaufman, Esquire and Debra Borden, Esquire, requesting a transfer of the special exception and an administrative modification. [Large exhibits: cover sheet, special exception site plan, special exception landscape plan/2 sheets, preliminary subdivision plan]. (1) Granted the transfer of the special exception; (2) deferred the administrative modification request until M-NCPPC's approval of the pending request for revisions to the preliminary plan. [W/S 9/14/2011].

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