

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

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

www.montgomerycountymd.gov/content/council/boa/index.asp

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, April 25, 2012, 9:30 a.m.

ACTION ITEMS:

1. Minutes, April 18, 2012 Worksession.

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

2. **S-2286, Petition of David A. and Carmen T. Doheny** (accessory apartment).
Request for reconsideration from the petitioners.

Action: Denied the request for reconsideration, (DKP/CGT, 4-0).

3. **S-2751, Petition of Victory Oaks, Inc.** (elderly and handicapped housing).
Letter to the Board from Jody Kline, Esquire, and Damon Orobona, Esquire,
requesting an administrative modification. [Large exhibits: special exception site
plan and amended special exception landscape plan/2 sheets].

Action: Item deferred until a future Worksession, (consensus).

DECISION:

4. **S-2816, Petition of T-Mobile Northeast, LLC and Ralph and Margaret Gibson**
(telecommunications facility). Hearing Examiner's Report and Recommendation.
Also included is a request for oral argument from Jeff Coles.

Action: (1) Denied the request for oral argument; (CJS/SBB, 3-1(DKP)); (2)
adopted the Hearing Examiner's Report and Recommendation as amended; (3)
granted the special exception with conditions, (CGT/SBB, 4-0).

PENDING ITEMS:

5. **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].
6. **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].
7. **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]. (1) Re-opened the record to include Ms. Martin's letter; (2) Ms. Martin's request will be deferred until the administrative modification request is taken up by BOA. [W/S 12/7/2011].
8. **S-2781, Petition of Gilmore-Brunett LLC** (child day care center). Hearing Examiner's Report and Recommendation and an Errata Statement. Also included are letters requesting reconsideration from Anne Mead, Esquire; Louis Leibowitz, Esquire; and Harriet Quinn, Woodmoor-Pinecrest Citizens Association. (1) Granted the requests for oral argument; (2) staff to communicate to Ms. Quinn that her participation should be as an individual. [W/S 3/28/2012].
9. **S-2820, Petition of Fairland Animal Hospital, Inc.** (veterinary hospital). Hearing Examiner's Report and Recommendation. Also included is a letter from Jody Kline, Esquire, requesting oral argument. (1) Granted the request for oral argument. (2) deferred the Hearing Examiner's Report and Recommendation. [W/S 2/29/2012].

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