

**BOARD OF APPEALS  
for  
MONTGOMERY COUNTY**

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**Case No. CBA-1174-D  
PETITION OF THE HOLTON ARMS SCHOOL**

**RESOLUTION TO MODIFY SPECIAL EXCEPTION**  
(Resolution Adopted April 9, 2025)  
(Effective Date of Resolution: April 25, 2025)

Case No. CBA-1174 is a special exception granted to the Holton Arms School on November 29, 1961. The special exception has been modified on numerous occasions since that time, as Case Nos. CBA-1174, -A, -B, -C, and -D. Case No. CBA-1174-D was most recently modified on August 4, 2023, to permit renovations to the School's Granger House, which formerly housed its Head of School, and to allow use of the renovated Granger House for educational and ancillary office purposes during the construction of the School's Marriott Library/Learning Commons.<sup>1</sup>

The Board of Appeals has received a letter, dated March 27, 2025, from Patrick O'Neil, Esquire, on behalf of The Holton Arms School. Mr. O'Neil's letter states that the construction of the Marriott Library/Learning Commons "has been completed and the School has a continuing need to keep Granger House in service to the School's educational mission." His letter details the improvements that were made to the Granger House in connection with the approved 2023 modification, and states that "[w]hile the long term use of Granger House is undecided, the School would like to capitalize on its conversion investment and continue the use of the space for educational purposes." Mr. O'Neil's letter states that "the School has a continuing need to use Granger House for auxiliary classroom and administrative spaces," noting that these uses "complement the functions of the main School building and also provide discreet administrative and meeting spaces apart from other active School areas." His letter requests "a five-year extension of the educational use of Granger House," and notes that "[a]ll other terms and conditions of the Board's Resolution dated August 4, 2023 would remain in effect." Mr. O'Neil's letter states that the requested modification "will not substantially change the nature, character or intensity of the School's special exception use, will not negatively impact traffic in any way, will not otherwise adversely affect the surrounding

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<sup>1</sup> A major modification of this special exception (Case No. CBA-1174-E), which is unrelated to the instant request, is currently pending at the Office of Zoning and Administrative Hearings for a hearing and the issuance of a report and recommendation to the Board.

neighborhood, and as such, this request can be approved by the Board administratively without the necessity of a public hearing."

The subject property is Parcel N624, Par Four Burning Tree Valley Holton-Arms School Subdivision, located at 7303 River Road in Bethesda, Maryland, in the R-90 and R-200 Zones.

The Board of Appeals considered the modification request at a Worksession held on April 9, 2025. Mr. O'Neil was present at the Worksession on behalf of the School, along with Tracy Fudge, the School's Chief Financial Officer. Mr. O'Neil explained that the Board had previously approved the temporary use of the School's Granger House for educational purposes during the construction of the Marriott Library/Learning Commons. Mr. O'Neil stated that the construction is now complete, and that the School is seeking to continue the previously approved temporary use of the Granger House for a period of five years, while the School determines what to do with this building. Mr. O'Neil stated that it would be premature to make the requested change of use permanent. He noted that the request is for use of the main floor only, and that the School is not proposing to use the basement or second floor of the Granger House. Mr. O'Neil stated that in the past, the Granger House had served as a residence for the Head of School, but is no longer used for that purpose. He stated that the requested modification does not involve any change to the School's current enrollment or staffing. Ms. Fudge stated that the new Library was completed in November 2024, and that the Granger House is currently vacant. She stated that this is not good for the building or for insurance liability. Ms. Fudge stated that there are five rooms and a kitchen on the main floor of the Granger House, and that she would anticipate two offices being located in that space, for use by five people.

Because Case No. CBA-1174-D was approved prior to October 30, 2014, under Section 59.7.7.1.B of the current Zoning Ordinance, this modification request must be reviewed under the standards and procedures in effect on October 29, 2014, unless the applicant elects otherwise. Section 59-G-1.3(c)(1) of the 2004 Zoning Ordinance provides:

If the proposed modification is such that the terms or conditions could be modified without substantially changing the nature, character or intensity of the use and without substantially changing the effect on traffic or on the immediate neighborhood, the board, without convening a public hearing to consider the proposed change, may modify the term or condition.

Based on the record before it, the Board finds that the proposed extension to the time during which the Granger House can be used for educational and ancillary office uses, as described herein and in Mr. O'Neil's letter, will not substantially change the nature, character, or intensity of the use or its effect on traffic or on the immediate neighborhood, and thus can be granted on a year to year basis, for a period of up to five years, contingent on the School providing an annual update to the Board on the use of the space. In support of this, the Board notes that this use was previously approved by the Board on a temporary basis. In addition, the Board notes that the Granger House is

interior to the School's campus. The Board finds that no operational changes or increases to enrollment or staffing have been requested (or approved) as part of this modification, and thus finds that granting this modification will have little, if any, outward impact.<sup>2</sup> Finally, the Board finds that the proposed continued use of the Granger House in a manner consistent with its use over the past two years will have no effect on the other existing operations at the School.

On a motion by Caryn L. Hines, Chair, seconded by Richard Melnick, Vice Chair, with Alan Sternstein, Amit Sharma, and Donald Silverstein in agreement:

**BE IT RESOLVED** by the Board of Appeals for Montgomery County, Maryland that the record in Case No. CBA-1174-D is re-opened to receive Mr. O'Neil's March 27, 2025, letter, with attachments; and

**BE IT FURTHER RESOLVED** by the Board of Appeals for Montgomery County, Maryland that the request to modify the special exception to allow an extension of the time during which the School's Granger House may be use for educational and ancillary business/office purposes is granted on a year to year basis, contingent on the annual submission of an update regarding the use of the Granger House building, to be provided to the Board with the School's Annual Report; and

**BE IT FURTHER RESOLVED** by the Board of Appeals for Montgomery County, Maryland that all terms and conditions of the original special exception, together with any modifications granted by the Board of Appeals, remain in effect.



Caryn L. Hines, Chair  
Montgomery County Board of Appeals

Entered in the Opinion Book  
of the Board of Appeals for  
Montgomery County, Maryland  
this 25th day of April, 2025.



Barbara Jay  
Executive Director

<sup>2</sup> The Board notes that an increase to the School's enrollment cap is currently under consideration as part of pending major modification Case No. CBA-1174-E, but has not been approved (or denied) as of the issuance of this Resolution.

**NOTE:**

Any party may, within fifteen (15) days of the date of the Board's Resolution, request a public hearing on the particular action taken by the Board. Such request shall be in writing, and shall specify the reasons for the request and the nature of the objections and/or relief desired. In the event that such request is received, the Board shall suspend its decision and conduct a public hearing to consider the action taken.

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. 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.