

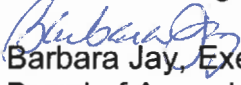


MONTGOMERY COUNTY BOARD OF APPEALS

MEMORANDUM

January 14, 2026

TO: Khandikile Sokoni, Director
Office of Zoning and Administrative Hearings

FROM:  Barbara Jay, Executive Director
Board of Appeals

SUBJECT: Case No. S-856-C [S-452-D]
Petition of Friends House, Inc.

Application for Major Modification

The case record for the above-captioned special exception major modification petition is hereby transmitted to you. The application has been reviewed by our staff and is complete, according to the requirements of Sections 59-A-4.22 of the Zoning Ordinance (2004), as made applicable by Section 59.7.7.1.B.1 of the Zoning Ordinance (2014). A copy of the Board's Resolution formally transferring this matter to your office to schedule and conduct a public hearing, and to issue a written report and recommendation, is attached.

Attachment

Exhibit 2
OZAH Case No: S-856-C

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

Stella B. Werner Council Office Building
100 Maryland Avenue, Suite 217
Rockville, Maryland 20850
<http://www.montgomerycountymd.gov/boa/>
(240) 777-6600

Case No. S-856-C [S-452-D]

PETITION OF FRIENDS HOUSE, INC.

**RESOLUTION TO REFER MAJOR MODIFICATION
TO THE HEARING EXAMINER TO CONDUCT A PUBLIC HEARING AND
ISSUE A REPORT AND RECOMMENDATION**
(Resolution Adopted December 17, 2025)
(Effective Date of Resolution: January 14, 2026)

The Board of Appeals granted Case No. S-856 on March 2, 1983, to Friends House Inc. to permit modification of special exception Case Nos. S-261 [1973] and S-452 [1978] for a nursing and care home. Other case numbers associated with the special exception are Case No. CBA-1855 [1965] and Case No. CBA-2673 [1969 and 1972]. By Resolution dated June 10, 1997, in Case Nos. S-452-C [pursuant to Section 59-G-2.35, Housing and Related Facilities for the Elderly] and S-856-A [pursuant to Section 59-G-2.37, Nursing and Care Home], the Board approved construction of a two-story, 90-unit apartment facility for the elderly and an adult day care facility. Effective September 16, 1997, the Board approved a two-story pharmacy addition. Effective November 13, 2003, the Board granted an administrative modification to approve revisions in the design of the proposed addition.

Effective May 8, 2017, a major modification of this special exception was granted in Case No. S-856-B [S-452-D] pursuant to Section 59-G-2.35 [Housing, Elderly & Handicapped] and Section 59-G-2.37 [Nursing Home or Domiciliary Care Home] of the Zoning Ordinance to permit a total of 361 new living units for seniors with various care needs as well as a wide range of income levels, to be comprised of 126 new independent apartment living units, 163 lodge apartment units, 24 cottage dwelling units, and 48 assisted living units. Petitioner indicated that this would be a multi-stage process, and that upon completion of all phases of the development, the total units on site will be 451 living units (126 independent living apartments; as many as 163 lodge apartments; 32 cottage duplex units; 48 assisted living units; and 82 beds in the skilled nursing hall). Staffing increases were also approved in connection with this modification. Effective October 21, 2022, the most recent iteration of this special exception was modified to permit consolidation of the existing units in the facility's C/D wing from 25 living units to 13 living units, a reduction in density of 12 units. This modification noted that Friends House "reserve[d] the right to construct the new C/D wing building that was

approved in 2017 at a future date.” Finally, an administrative modification to “adjust the phasing to allow for the construction of an independent living facility in Phase Two, along with associated modifications to the previously approved building and site design,” was statutorily denied in a decision dated July 9, 2025.

The subject property is Parcels N225 and N214 Subdivision, located at 17340 Quaker Lane, Sandy Spring, Maryland, 20860, in the RE-2 Zone.

The Board of Appeals has received an Application and a Statement in Support of Special Exception Modification Application, dated December 9, 2025, from Elizabeth Rogers, Esquire, on behalf of Friends House Retirement Community. Friends House is seeking a major modification of its special exception to adjust the previously approved phasing of construction, and to allow the construction of an independent living building in Phase Two. Under the Board’s standard procedures for designating cases, this modification would be Board of Appeals’ Case No. S-856-C [S-452-D].

Because Case No. S-856 [S-452] 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)(2) of the Montgomery County Zoning Ordinance (2004) provides that the Board “must convene a public hearing” to consider a proposed major modification, and that the request is subject to the requirements of Sections 59-A-4.2 and 59-A-4.4 of that Ordinance, which pertain to filing and scheduling requirements. Section 59-A-4.125(a) of that Ordinance states that:

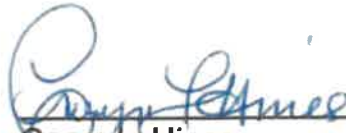
(a) The Hearing Examiner’s Office has the functions and duties of scheduling and conducting public hearings and rendering written reports and recommendations to the County Board of Appeals on the following matters:

- (1) any petition for a special exception; and
- (2) upon request of the Board and with approval of 3 of its members, any other matter pending before the Board.

The Board of Appeals considered Ms. Rogers’ submission at a Worksession held on December 17, 2025. Ms. Rogers appeared at the Worksession, along with Friends House CEO Philip Burkholder. At the Worksession, the Board voted to refer this major modification request to the Office of Zoning and Administrative Hearings for a public hearing and the issuance of a report and recommendation, in accordance with Section 59-A-4.125(a) of the Zoning Ordinance (2004).¹ Accordingly, on a motion by Caryn L. Hines, Chair, seconded by Richard Melnick, Vice Chair, with Alan Sternstein and Donald Silverstein in agreement:

¹ The Board notes that similar authority exists under Section 59.7.6.2.B.2 of the current Zoning Ordinance, which states in relevant part that “The Hearing Examiner may schedule and conduct a hearing or write a report and recommendation for any other matter pending before the Board of Appeals upon request of the Board of Appeals and with approval of 3 of its members.”

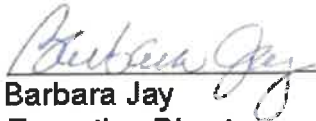
BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that, pursuant to the authority granted in Section 59-A-4.125 of the Montgomery County Zoning Ordinance (2004), the Board refers the above-described major modification to the Hearing Examiner for Montgomery County to schedule and conduct a public hearing, and for the issuance of a written report and recommendation to the Board of Appeals.



Caryn L. Hines

Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
this 14th day of January, 2026.



Barbara Jay
Executive Director

NOTE: 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.

