

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
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www.montgomerycountymd.gov/content/council/boa/index.asp

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

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

ACTION ITEMS:

1. Minutes, July 11, 2012 Worksession.

Action: Approved as amended, (WSB/CJS, 5-0).

2. **S-826, Petition of Montessori Country School of Maryland, Inc. a/k/a Butler School** (private educational institution). Letter to the Board from Becki Hardie, Head of School, requesting an administrative modification. [Large exhibits: site plan and elevations].

Action: Granted the administrative modification, (SBB/CJS, 5-0).

3. **S-854, Petition of Gerald Cabanillas** (home occupation). Letter from the petitioner notifying the Board that the special exception has been abandoned and requesting that it be revoked.

Action: Referred the petitioner's letter to the Department of Permitting Services (DPS) for clarification, (CGT/SBB, 5-0).

4. **S-1987, Petition of Dena Rose Yver** (accessory apartment). Letter from Pryor and Ruth Brenner requesting a transfer of the special exception.

Action: Item deferred until receipt of a signed deed, consensus.

5. **S-2294, Petition of Trees For The Future** (charitable and philanthropic institution). Letter from David Tye, Interim Executive Director, notifying the Board that the special exception has been abandoned and should be revoked.

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

6. **S-2320, Petition of Creative Learning Center** (child day care center). Letter to the Board from Rebecca Mancuso requesting a transfer and modification of the special exception.

Action: Granted the transfer and the administrative modification subject to receipt of additional information to be supplied by Ms. Mancuso, (DKP/CJS, 5-0).

DECISION ITEMS:

7. **S-2834, Petition of Christopher and Shivani Sutton** (accessory apartment). Hearing Examiner's Report and Recommendation.

Action: (1) Adopted the Hearing Examiner's report and recommendations as amended; (2) granted the special exception with conditions, (DKP/CJS, 5-0).

8. **S-2835, Petition of Maxine Hillary** (accessory apartment). Hearing Examiner's Report and Recommendation.

Action: (1) Adopted the Hearing Examiner's report and recommendations as amended; (2) granted the special exception with conditions, (DKP/SBB, 5-0).

PENDING ITEMS:

9. **S-285-E, Petition of The Norwood School** (private educational institution). Letter to the Board from Richard Ewing, Head of School, submitting the School's activity report and the community liaison committee minutes. Item deferred for additional information. [W/S 7/11/2012].
10. **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].
11. **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].

PENDING ITEMS (continued):

12. **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].

13. **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].

Board Members

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David K. Perdue, Vice Chair
Walter S. Booth
Carolyn J. Shawaker
Stanley B. Boyd

Staff:

Barbara Jay, Associate County Attorney
Katherine Freeman, Executive Director
Hermene Jones, Administrative Specialist - ABSENT