**MEMORANDUM:**

DATE: September 8, 2006

TO: Montgomery County Board of Appeals

VIA: Rose Krasnow, Chief, Development Review Division *RK*
Carlton W. Gilbert, Zoning Supervisor, Development Review
Division *CW*

FROM: Elsabett Tesfaye, Development Review Division (301) 495-1301 *ET*

SUBJECT: **Special Exception S-2678: Farzam and Francesca Tamami** –
Request for approval of a special exception for a medical
practitioner's office for use by other than a resident of the building
located on Parcel 165, 10006 Falls Road, Potomac.

17,420 Square Feet (.40 ac)

Zone: R-200
Address: 10006 Falls Road in Potomac
Applicants: Farzam & Francesca Tamami

MASTER PLAN: 2002 Potomac Subregion Master Plan Master
FILING DATE: March 28, 2006
PLANNING BOARD HEARING: September 21, 2006
PUBLIC HEARING: September 29, 2006

RECOMMENDATION: APPROVAL with the following conditions:

1. The special exception use shall be limited to the following:
 - a. One full-time dentist on the site at any one time.
 - b. Up to three full-time or part-time dental assistants and/or office staff persons on the site at any one time.

- c. Up to two scheduled patient appointments per hour.
2. The applicants shall revise the site and landscape plans and submit them to the hearing examiner. The revised plans shall incorporate the following:
 - a. Provide a plan detailing parking spaces for both staff and patients.
 - b. Provide a 5-foot-wide concrete sidewalk along Falls Road from the southern end of the property to the existing northern driveway.
 - c. Close off access from the southern driveway per the Maryland State Highway Administration (SHA) recommendation.
 - d. Provide a landscape plan indicating extension of the sidewalk across the existing southern driveway, and supplementing planting on the south, west and eastern sides of the property, and complying with the Zoning Ordinance requirements of Sec. 59-E-2.7, Sec.59-E-2.8, and Sec 59-E-6.1and Sec.59-E-6.3, if applicable.
 - e. Depict on the site plan the designated parking spaces including at least one van accessible handicap space and handicap access to the dental office.
3. A current letter of exemption from the Forest Conservation requirements shall be submitted into the record of the case.
4. All signs placed on the property shall meet the requirements of Section 59-F-4.2 (a) in terms of number, location and area and Section 59-4.1 (e) regarding illumination. Furthermore, the location and dimension of the sign shall be included in the site plan.

FINDINGS:

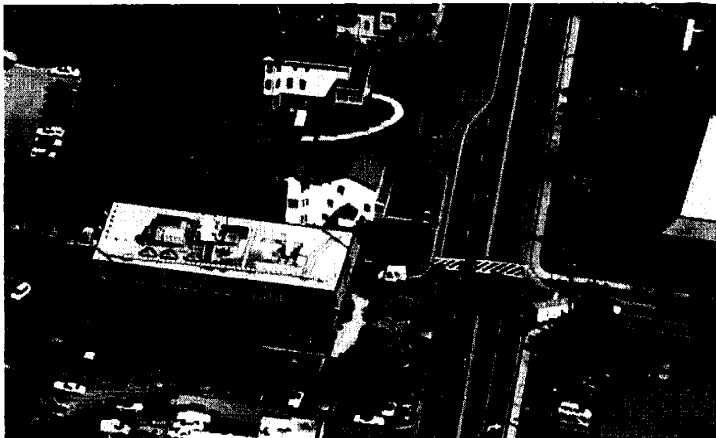
A. PROJECT SUMMARY

In June of 2004, a Special Exception application (S-2620) was filed for a *medical practitioner's office for use by other than a resident of the building* by the owner of the property on behalf of a tenant who was operating a dental office on the property at that time. The tenant ultimately moved out of the property and subsequently, the petition was withdrawn. No action was taken on that application.

In the instant application (S-2678), the applicants, Farzam and Francesca Tamami, who are currently leasing the property, indicated that except for minor improvements in the landscaping and some cosmetic renovation to the interior of the house, the use and conditions of the property are generally unchanged since the filing of the previous petition.

The structure contains a dental office on the first floor and a residential unit on the second floor. The operator of the dental office Dr. Tamami and his family resided on the second floor residential unit until a change in the family situation made it necessary to move their residence to another location while maintaining the existing dental practice on the subject property. Dr Tamami intends to lease the entire house and sublet the second floor and the basement portion of the house as a residential unit. The applicants (Dr. and Mrs. Tamami) are proposing to validate the conversion of the use of the first floor dental practice from a home occupation to a *medical practitioner's office for use other than a resident of the building*.

B. Site Description



The property is located on the west side of Falls Road, opposite its intersection with Glenolden Drive known as 10006 Falls Road. The property, which is identified as Parcel 165 on Tax Map FP 342, is generally rectangular in shape and comprises approximately 17,420 square feet of land.

It is improved with a two-story frame structure with a basement. A portion of the front yard of the property is covered with grass shrubs and ornamental trees. The property has approximately 75.88 feet of frontage on Falls Road from which it is accessed via a pedestrian walkway and a 14-foot wide driveway. However, the principal vehicular access to the property is through a 50-foot easement on the northeastern corner of the property. Most of the rear yard and the two side yards of the property are paved with asphalt and are used for parking purposes and vehicular access to the property. Currently there are four designated parking spaces on the north



portion of the property adjacent to the building. Undesignated parking areas are located along the northern and western property lines.

C. Neighborhood Description

The neighborhood in which the subject property is located is defined by Woodford Road to the North, Gary Road to the west, River Road and the Potomac Village Center to the south and Councilman Road to the east. The property is within the area identified as the Potomac Village in the Potomac Subregion Master Plan. With the exception of the commercial uses in the Potomac village which are in the C-1 Zone, most of the immediate area is residential mainly in the R-200 Zone except for one small townhouse development (the Village at Potomac) in the PD-5 Zone. The Potomac Village Center comprises approximately 26 acres of land and consists of several commercially developed properties with a mixture of office, retail and service



uses in the C-1 Zone. The majority of the commercial uses are located at or near the intersection of River Road and Falls Road.

Adjoining uses include a parking lot for the U.S Post Office and the Potomac Electric Power Company building, both to the southwest, adjacent to the subject property, in the R-200 Zone, the Potomac Public Library to the east across from the subject property in the R-200 Zone, and an office building

housing a bank and other business offices to the south in the C-1 Zone. A residential dwelling containing a home occupation is located to the north, separated from the subject site by a 50-foot easement from which both properties are accessed.

D. Land Use and Zoning History:

The property was placed in the R-R Zone in 1967. In 1980, the property's R-R zone was changed to R-200. The 2002 Potomac Subregion Master Plan recommended the retention of the existing R-200 zoning. It also identified the subject property, along with the adjoining two residentially zoned properties, for potential assembly of properties suitable for housing for the elderly. The 2003 Approved Sectional Map amendment retained the property in the R-200 Zone.

F. ANALYSIS

Master Plan:

The proposed use is consistent with the 2002 Potomac Subregion Master Plan. The Master Plan addresses (page 62) the subject property and the two adjoining properties to the north and indicates that the property presently forms a transition from the commercial core to the single-family residential area that borders the village. The Master Plan explored but rejected commercial zoning (C-1) for the property, and recommended the retention of the existing R-200 zoning. It also identified the subject property, along with the adjoining two residentially zoned properties, for potential assembly of properties suitable for housing for the elderly.

Upon reviewing the proposal for Master Plan consistency, the Community Based Planning Division has offered the following comments.

The present proposal is a fairly modest extension of the existing use of the property. Since no new construction is proposed, a preliminary plan of subdivision is not required. Parking and access appear adequate, but the following improvements are recommended to upgrade the appearance of this entryway to Potomac Village:

1. Provide a plan detailing parking spaces for both staff and patients
2. Provide a sidewalk
3. Close off access from southern driveway
4. Provide a landscape plan indicating extension of the sidewalk across the existing southern driveway, and supplementing planting on the south, west and eastern sides of the property, and complying with Zoning Ordinance Sec. 59-E-2.7, Sec.59-E-2.8, and Sec 59-E-6.1 and Sec.59-E-6.3 if applicable

Transportation

There are no transportation issues associated with the proposed use. The proposal meets the transportation related requirements of the APF test. Transportation Planning has offered the following comments:

Local Area Transportation Review

Based on information submitted by the applicant, the proposed use of the existing building as a medical practitioner's office would generate a maximum of eight peak-hour trips during the weekday morning (6:30 a.m. to 9:30 a.m.) and evening (4:00 p.m. to 7:00 p.m.) peak periods. Therefore, no traffic study is required to satisfy the Local Area Transportation Review test.

Site Access and Vehicular/Pedestrian Circulation

Two access points to the site exist on Falls Road (MD 189). Falls Road is classified as a Major Highway (M-14) with a 120' wide minimum recommended right-of-way and a dual bikeway (DB-19) consisting of both a shared roadway and an off-road shared use path. In the vicinity of the subject site, the shared-use path is located along the east side of Falls Road.

A 50-foot-wide ingress-egress easement off Falls Road to the north of the property serves a common parking area for both the subject site and the property at 10008 Falls Road to the north. All three properties, 10006 Falls Road, 10008 Falls Road, and the intermediate property, are in common ownership. The subject property also has a second driveway to Falls Road along the southern property line. Transportation Planning staff supports the SHA's recommendation to close off the existing southern driveway along Falls Road. SHA's recommendation was described in their letter dated November 4, 2004 when they reviewed the Special Exception Application S-2620 for the previous application on the same site. This recommendation addresses an access management objective to limit driveway access on roadways such as major highways whose primary purpose is mobility rather than access.

Currently there is no sidewalk along the site frontage. A sidewalk along the west side of Falls Road ends immediately south of the site at a marked crosswalk. Staff recommends that the applicant extend this sidewalk along Falls Road across the frontage of the site to the curb return at the northern parking area access point. This sidewalk will provide a sidewalk connection between the subject property and other destinations toward the Village center. The two parcels affected extend eastward beyond the Falls Road curb line. Because the proposed petition does not require

subdivision, this sidewalk extension will be located on private property. Staff finds that providing a sidewalk along in front of the site and closing off access from southern driveway would enhance pedestrian/vehicular circulation system in the vicinity of the site.

The Transportation Planning Staff recommends the following conditions as part of the APF test related to approval of the subject special exception application.

1. The applicant shall provide a 5-foot-wide concrete sidewalk along Falls Road from the southern end of the property to the existing northern driveway.
2. The applicant shall close off access from the southern driveway per the Maryland State Highway Administration (SHA) recommendation.

Environment

A Forest Conservation Exemption letter (# 4-04222E, dated February 5, 2004) was issued for the subject property in connection with the previous special exception application (S-2629). In the current application (S-2678), the applicant has requested a re-certification of the exemption letter in order to bring the certification up to date. The applicant has submitted a letter addressed to Environmental Planning of M-NCPPC. However, the actual exemption re-certification letter for the current application has not been provided although the Environmental Planning comments indicate that a re-certification was issued in July of 2006. The letter of exemption needs to be submitted into the record of the case as evidence of compliance to the requirements.

The Environmental Planning Section has offered the following comments:

- This application is for reuse of an existing building and will create no site changes.
- This application is exempt from forest conservation requirements. An exemption (4-04222E) was granted on 2/27/04 and re-certified on 7/19/06.

G. Development Standards

The existing structure was constructed in 1964 in accordance to the standards of that time. Since no new construction is proposed, with the exception of parking requirements for the proposed use, the property is not subject to current development standards. For instance, the existing house is setback approximately 57 feet from the existing street line. Currently, the building is located approximately two feet from the ultimate right-of-way line of Falls Road. As such, the site cannot meet the 40 feet setback requirement for front yard. The proposed plan provides for the required number of parking spaces. The size of the property which is 17,472 square feet falls short of the current standard of

20,000 square feet for R-200 Zoned properties. Similarly, the minimum lot width at building line also falls short of the current standard by 20 feet.

The following table summarizes the relevant development standards for the R-200 Zone that are applicable to the proposed special exception request.

Current Development Standard	Required	Proposed
Minimum Lot Area	20,000 SF	17, 472 SF 9 (non-conforming lot)
Minimum Lot width: <ul style="list-style-type: none"> • @ Front building line • @ Street line 	100 ft 25 ft	80 ft (non-conforming) 75 ft
Minimum Building Setback: Front Yards Side Yards <ul style="list-style-type: none"> ▪ One side ▪ Sum of both sides ▪ Rear 	40 ft 12 ft 25 ft 30 ft	57.5 ft 25 ft minimum 52.8ft 95 ft
Minimum Building Height	50 ft	28+ ft Residence
Maximum Building Coverage Including accessory building	25%	7.2%
Parking:: <ul style="list-style-type: none"> • Residential • Dental office - Total 	2 <u>4</u> 6	2+ <u>4</u> 6+

H. Community Concerns

To date, staff has not received any comments from the community. There is no evidence of concern or objection from adjoining neighbors regarding the use and operation of the subject facility.

I. Inherent and Non-Inherent Adverse Effects

Standard for Evaluation: Section 59-G-1.2.1 of the Zoning Ordinance specifies that a **special exception must not be granted without the findings required by this Article. In making these findings, the Board of Appeals, Hearing Examiner, or District Council, as the case may be, must consider the**

inherent and non-inherent adverse effects of the use on nearby properties and the general neighborhood at the proposed location, irrespective of adverse effects the use might have if established elsewhere in the zone. Inherent adverse effects are the physical and operational characteristics necessarily associated with the particular use, regardless of its physical size or scale of operations. Inherent adverse effects alone are not a sufficient basis for denial of a special exception. Non-inherent adverse effects are physical and operational characteristics not necessarily associated with the particular use, or adverse effects created by unusual characteristics of the site. Non-inherent adverse effects, alone or in conjunction with inherent adverse effects, are a sufficient basis to deny a special exception.

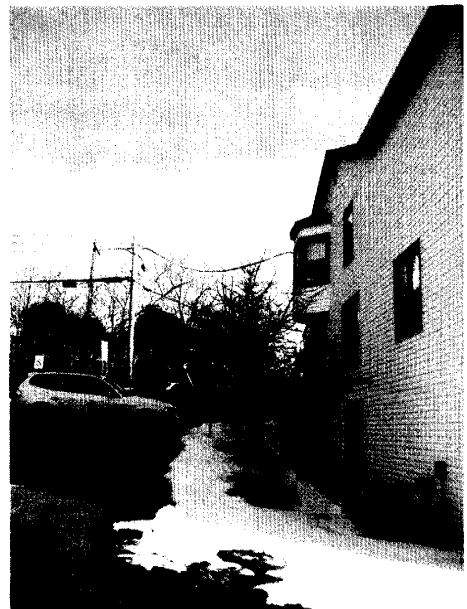
As established in previous special exception cases, seven criteria are used to identify the physical and operational characteristics of a use. Those criteria are size, scale, scope, lighting, noise, traffic, and the environment. Any special exception case may have some or all of these characteristics in varying degrees.

The inherent, generic physical and operational characteristics associated with a Medical practitioner office for use by a non resident of the building include the proposed building, the parking facility, lighting, vehicular trips to and from the site by the clientele, and residents of the building. The non-inherent effects concerning the proposed use include the hours of operation, number of parking spaces, traffic on and around the site and the location and size of the driveway.



Adequate on site parking is provided to serve both the proposed dental office and the residence. There is an existing parking area on the north and west (rear) sides of the house which is accessed from the two driveways connected to Falls Road (east). The

northern driveway is a shared access with the adjoining property to the north. Four parking spaces are located on the north side of the house (adjacent to the house) and are designated for the exclusive use of the dental office. These parking spaces are not delineated on the site plan; however, the applicant later submitted a separate plan



showing the designated parking spaces. It is unlikely that the proposed use would generate a level of traffic or noise that would cause concern about congestion in the neighborhood. However, staff recommends that the site plan be revised to properly reflect the designated parking spaces including at least one van accessible handicap space and handicap access to the dental office.

The proposal provides for adequate lighting, including automatic lights on the porch of the residential unit and low-voltage halogen lights placed on the mounded ornamental planting area next to the parking area. The applicant indicated that flood lights installed to illuminate the rear parking area are rarely used. Staff recommends that the lights will be angled to minimize the glare onto adjoining properties.

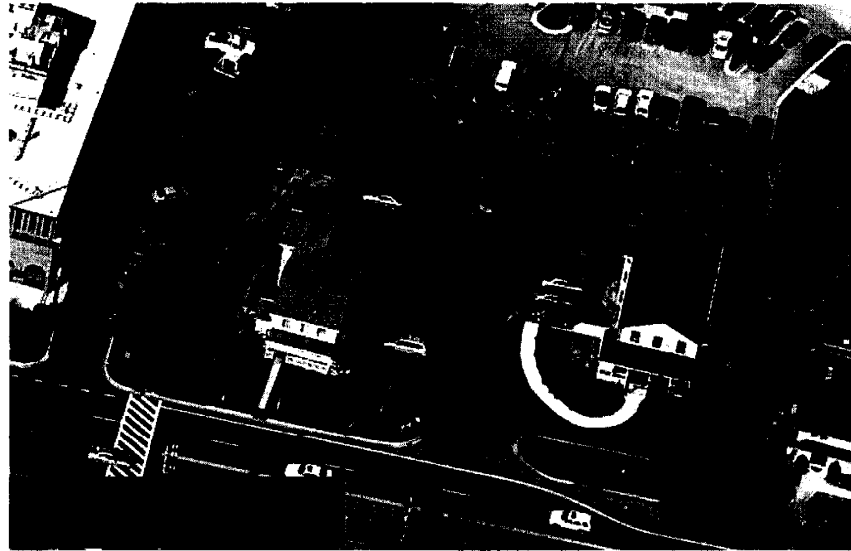
The subject property as well as the adjacent properties to the south are characterized by limited landscaping. With the exception of small areas in the front yard, on the north side of the building and in the rear most portion of the property, a large portion of the property covered by impervious surface. Although the applicant indicated that a few plants have been added to the property recently, existing landscape conditions on the site, in particular the grassy area along the western property line, reveal a need for additional landscaping consisting of several trees and shrubs. Provision of additional landscaping and proper maintenance of the existing landscaping and grassy area will enhance the appearance of the site, maintain the residential character of the property and promote compatibility with the residential neighborhood to the northeast and west of the subject property. Staff recommends that the landscape plan be revised to include additional landscaping along the western property line and that a proper landscape schedule be provided on the plan.

The Community Based Planning Division and The Transportation Planning Section have recommended that the southern driveway should be closed. The closing of the southern driveway was also recommended by State Highway Administration (SHA) staff. In recommending the closing of the southern driveway, the Transportation Planning Section has made the following findings:

The subject property also has a second driveway to Falls Road along the southern property line. Transportation Planning staff supports the SHA's recommendation to close off the existing southern driveway along Falls Road. SHA's recommendation was described in their letter dated November 4, 2004 when they reviewed the Special Exception Application S-2620 for the previous application on the same site. This recommendation addresses an access management objective to limit driveway access on roadways such as major highways whose primary purpose is mobility rather than access.

The applicant disagrees with the SHA's recommendation for the closing of the southern driveway and has put forward the following argument:

“... Vehicles exiting the property cannot turn left (north) onto Falls Road from the shared driveway because trees on neighboring property block the view of traffic traveling south on Falls Road. For the same reason, right turns onto Falls Road from the shared driveway are also dangerous. Indeed, at present, visitors to both the subject and neighboring property use the shared driveway to enter the properties and the northern driveway to exit onto Falls Road.”



Although the concern raised by the applicant regarding visual site distance being blocked by trees on the adjoining property is legitimate, it is one that can be remedied by removing the trees that are blocking the view. This should not be a difficult measure to undertake since both properties are under the same ownership. It should also be noted that the SHA letter of November 4, 2004 recommends the following:

“ as a condition of approval, the applicant be required to close the existing residential driveway along MD 189 and provide a sight distance profile for the existing shared driveway. The sight distance profile is needed to determine improvements required to obtain adequate sight distance for motorists exiting the property. All work within public right of way needs to be permitted and bonded with SHA.”



A wooden sign identifying the dental practice is located on the southeastern corner of the front yard. The applicant indicated that a permit application was submitted for the sign in 2005. No information is provided regarding the dimensions of the sign. All signs

placed on the property shall meet the requirements of Section 59-F-4.2 (a) in terms of number, location and area and Section 59-F-4.1 (e) regarding illumination. Furthermore, the location and dimension of the sign shall be included in the site plan.

Provided that the recommended conditions are complied with, there will be no inherent impacts associated with the subject proposal that warrant denial.

J. Specific Special Exception Requirements: A medical practitioner's office for use by other than a resident of the building may be permitted in the R-200 Zone as a special exception. Section 59-G-2.36 sets forth the specific requirements:

(a) In all residential zones other than specified in Subsection (b) below, one or more offices of not more than 2 full-time medical practitioners may be permitted, provided that:

(1) The exterior of the premises is not changed or altered in appearance.

The subject dental clinic has been operated as a home occupation on the premises for a several years. The need for the subject special exception is triggered by the fact that the primary practitioner no longer resides on the second floor of the building and the current occupant of the residential space does not practice in the dental office. No new construction or alteration to the exterior of the building is proposed.

(2) Not less than 50 percent of the floor space of the building is devoted to residential uses.

The applicant indicated that 67 percent (2322 square feet) of the 3,472 square-foot building is dedicated for residential use. The proposed use utilizes approximately 33 percent of the total floor area in the building. The applicants provided the following additional information regarding the use of the building:

The second floor residence and basement are used together as a residence. There is only one kitchen, located on the 2nd floor, and there is only one laundry room (with washer & dryer), located in the basement. The 2 spaces are not directly connected, but access into the basement is through a separate side door on the south side of the house. The office and the basement are connected by a stairwell with a door that is kept shut and usually dead bolted. The basement is not used for any dental office purposes.

(3) Office space suitable for the practice of the profession is unavailable in either the nearest commercial zone or the

nearest medical clinic office building constructed according to a special exception grant;

The applicant indicated that office space for the proposed use is not available within the commercial buildings in Potomac Village which is the nearest commercially zoned area.

- (4) Additional medical specialists are not employed more than an aggregate of 40 hours per week and there are never more than 2 medical professionals, whether general practitioners or medical specialists, in such office on any one day. In consideration of an application for part-time medical specialist, the Board must consider the total number of employees and the total number of patients at any one time.**

The proposal complies with this requirement. The applicant, Dr. Tamami is currently the only dentist on site. He has indicated that he does not intend to hire another dentist. The applicant indicated that the dental clinic will be open to patients Monday to Friday from 8:00 a.m. to 5:00 p.m., with occasional after-hours or weekend emergency appointments (currently, once every three month). The applicant further stated that there will be no more than two patients on the site at the same time, and no more than eight patients will visit the office in one day.

- (5) The maximum number of nonprofessional support staff must be determined by the Board, taking into account the impact on neighboring residences of the resultant parking and traffic.**

The applicant is proposing one part time dental assistant, one part-time dental hygienist and one full-time receptionist. The total number of staff, including the dentist, would not exceed four on any given day.

- (6) Such use will not constitute a nuisance because of noise, traffic or physical activity.**

With the recommended conditions, the use will not constitute a nuisance because of noise, traffic or physical activity.

- (7) Such use will not tend to affect adversely the use and development of neighboring properties and the general neighborhood.**

The proposed use will not tend to affect adversely the use and development of neighboring properties and the general neighborhood. No change is proposed in the type of services offered by the dental clinic or its operation, nor there will be an increase or expansion in the number of patients coming to the office. The conversion of the existing dental

clinic from a home occupation use to special exception for a non-residential practitioner medical practitioner will not result in intensity of use, increased traffic generation or noise level.

Moreover, with the proposed additional landscaping sidewalk, and closing of the southern driveway, the proposal projects a more appealing aesthetic and functional environment, enhancing existing conditions in the immediate area

K. 59-G-1.21. General conditions

(a) A special exception may be granted when the Board, the Hearing Examiner, or the District Council, as the case may be, finds from a preponderance of the evidence of record that the proposed use:

(1) Is a permissible special exception in the Zone.

The subject property is located in the R-200 Zone, which permits the proposed special exception.

(2) Complies with the standards and requirements set forth for the use in Division 59-G-2. The fact that a proposed use complies with all specific standards and requirements to grant a special exception does not create a presumption that the use is compatible with nearby properties and, in itself, is not sufficient to require a special exception to be granted.

With the recommended conditions the proposal is in compliance with the specific special exception requirements of **59-G-2.36** *medical practitioner's office for use by other than a resident of the building.*

(3) Will be consistent with the general plan for the physical development of the District, including any master plan adopted by the Commission. Any decision to grant or deny a special exception must be consistent with any recommendation in a master plan regarding the appropriateness of a special exception at a particular location. If the Planning Board or the Board's technical staff in its report on a special exception concludes that granting a particular special exception at a particular location would be inconsistent with the land use objectives of the applicable master plan, a decision to grant the special exception must include specific findings as to master plan consistency.

There are no major Master Plan concerns that are associated with this application. The proposed Special Exception application is not inconsistent with the goal of the 2002 Approved and Adopted Potomac Subregion Master Plan which explored but rejected commercial Zoning for the property and recommended the retention of the property's R-200

zoning. As indicated in the Community Based Planning's comments, the Master Plan further identified the parcel as part of a potential assembly of properties suitable for housing for the elderly. The proposed use is less intense than the housing for the elderly use that was identified in the Master Plan as a potential suitable use for the property in terms of traffic generation and intensity of development.

It should also be noted that the recommended elimination of the existing driveway access located on the southwest corner of the property along Falls Road would substantially reduce potential hazardous traffic conditions near and around the property.

- (4) Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and number of similar uses.**

The proposed use will be operated in such a manner that it will not interfere with the orderly use, development and improvement of surrounding properties. No change is proposed in the type of services offered by the dental clinic or its operation, nor there will be an increase or expansion in the number of patients coming to the office. The conversion of the existing dental clinic from a home occupation use to a special exception for a non-resident medical practitioner office will not result in intensity of use, increased traffic generation or noise level. As such, the proposed use would not result in a negative aesthetic impact on the surrounding neighborhood. With the recommended conditions, the proposed facility will be in harmony with the character of the neighborhood.

- (5) Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.**

There is no indication that the proposed development would be detrimental to the use, peaceful enjoyment, economic value or development of adjacent properties or the general neighborhood, provided that the applicant complies with the recommended conditions of approval of this application. The proposed use can be an ideal transition between the residential area and the adjoining commercial area given its location on the periphery of the residentially zoned area to the north, northeast and east, and adjacent to the commercial development to the south.

- (6) Will cause no objectionable noise, vibrations, fumes, odors, dust, illumination, glare, or physical activity at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.**

The proposed use would not cause objectionable noise, vibrations, fumes, odors, dust, illumination, glare, or physical activity at the subject site. In a supplemental submission (e-mail sent August 30, 2006) the applicant provided the following information:

Regarding biohazard and other wastes, needles are discarded into plastic biohazard bins that are affixed to the wall in each operatory. When the bin gets full, we call a disposal company to retrieve it. There is no other hazardous waste (for example, no chemicals for developing film because we use digital x-rays). Regular trash is picked up twice a week by a private trash company. We do not store anything outdoors (other than the regular trash & recycling bins).

The use will be adequately screened from the views of neighboring properties, will generate minimal noise, will have minimal lighting and glare, and no significant traffic impact.

- (7) Will not, when evaluated in conjunction with existing and approved special exceptions in any neighboring one-family residential area, increase the number, intensity, or scope of special exception uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area. Special exception uses that are consistent with the recommendations of a master or sector plan do not alter the nature of an area.**

Approved special exception uses in the immediate area include the following:

Case No.	Address	Uses	Approved
BAS-1523	10020 Falls Rd	Computer consulting and programming Business	June 7, 1988
BAS 1690	10010 Falls Rd	Real Estate Office	August 3, 1989
BAS 1386	10005 Falls Rd	Elderly Housing	September 16, 1987

Staff was not able to determine which one of the three special exceptions are still active. It appears, however, that the majority of the six or seven

residentially zoned properties located north of the site (on the west side of Falls Road) are housing home occupations or approved special exception uses. As noted, the subject proposal is an extension of the existing use of the property. There will be no change either in the manner of operation or number of visitors to the site. With the recommended conditions, the proposed special exception, in conjunction with these special exceptions, will not increase the number, intensity or scope of special exception uses sufficiently to affect the area adversely or alter the residential nature of the block.

- (8) Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.**

No inherent or non inherent adverse effects are associated with the subject proposal. As such, with the recommended conditions, the proposed use will not adversely affect the health, safety, security, morals or welfare of residents, visitors or workers in the area.

- (9) Will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities.**

(i) If the special exception use requires approval of a preliminary plan of subdivision the adequacy of public facilities must be determined by the Planning Board at the time of subdivision review. In that case, subdivision approval must be included as a condition of the special exception. If the special exception does not require approval of a preliminary plan of subdivision, the adequacy of public facilities must be determined by the Board of Appeals when the special exception is considered. The adequacy of public facilities review must include the Local Area Transportation Review and the Policy Area Transportation Review, as required in the applicable Annual Growth Policy.

(ii) With regard to findings relating to public roads, the Board, the Hearing Examiner, or the District Council, as the case may be, must further determine that the proposal will not reduce the safety of vehicular or pedestrian traffic.

The proposed use will be adequately served by existing public facilities. The use as proposed is not likely to reduce the safety of vehicular or pedestrian traffic.

- (b) Nothing in this Article relieves an applicant from complying with all requirements to obtain a building permit or any other approval required by law. The Board's finding of any facts regarding public facilities does not bind any other agency or department, which approves or licenses the project.**

The applicant shall so note.

- (c) The applicant for a special exception has the burden of proof to show that the proposed use satisfies all applicable general and specific standards under this Article. This burden includes the burden of going forward with the evidence, and the burden of persuasion on all questions of fact.**

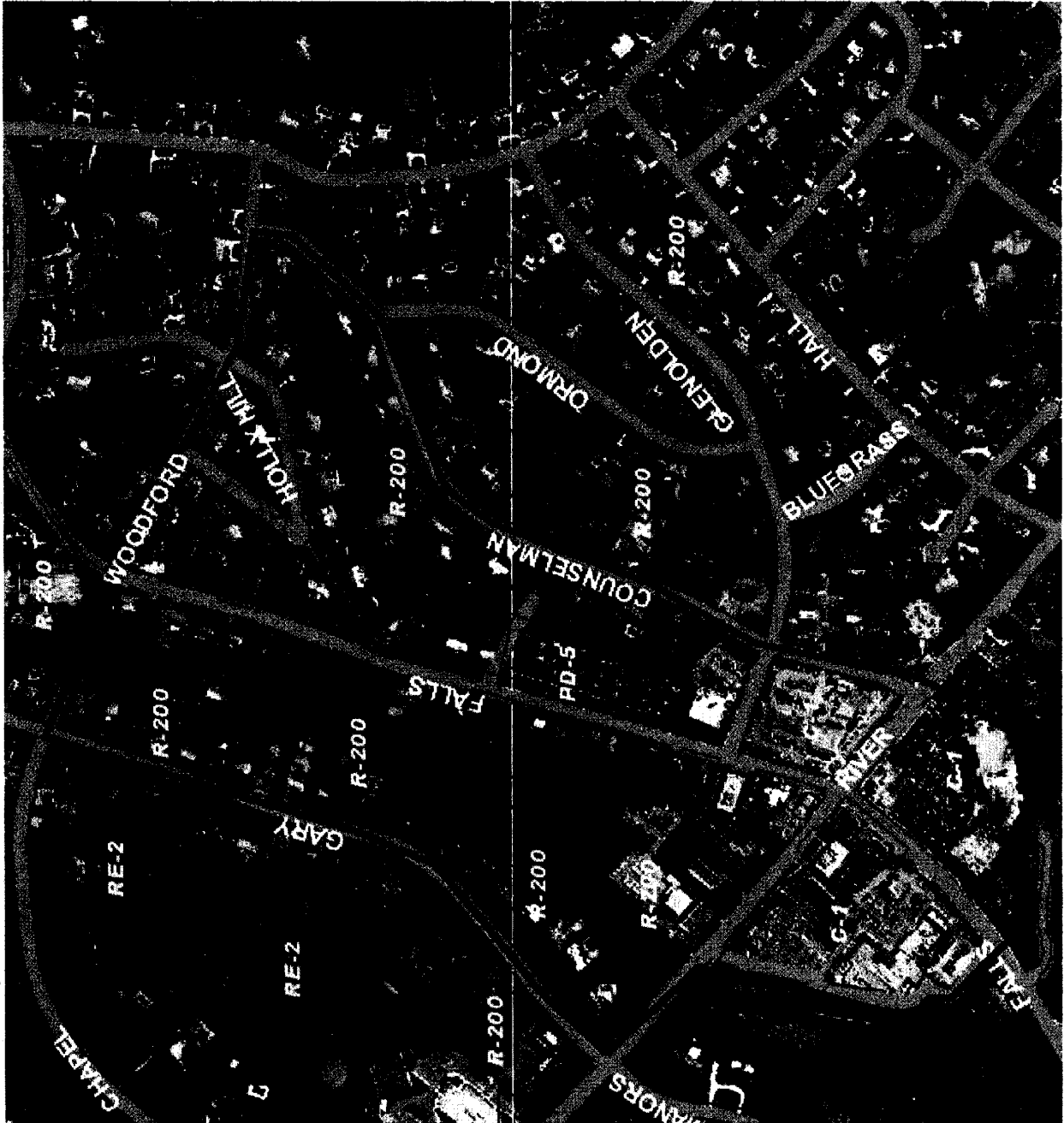
The applicant shall so note.

Conclusion

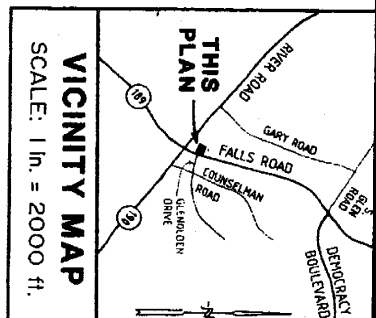
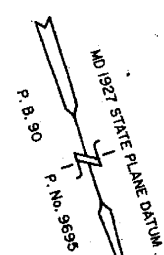
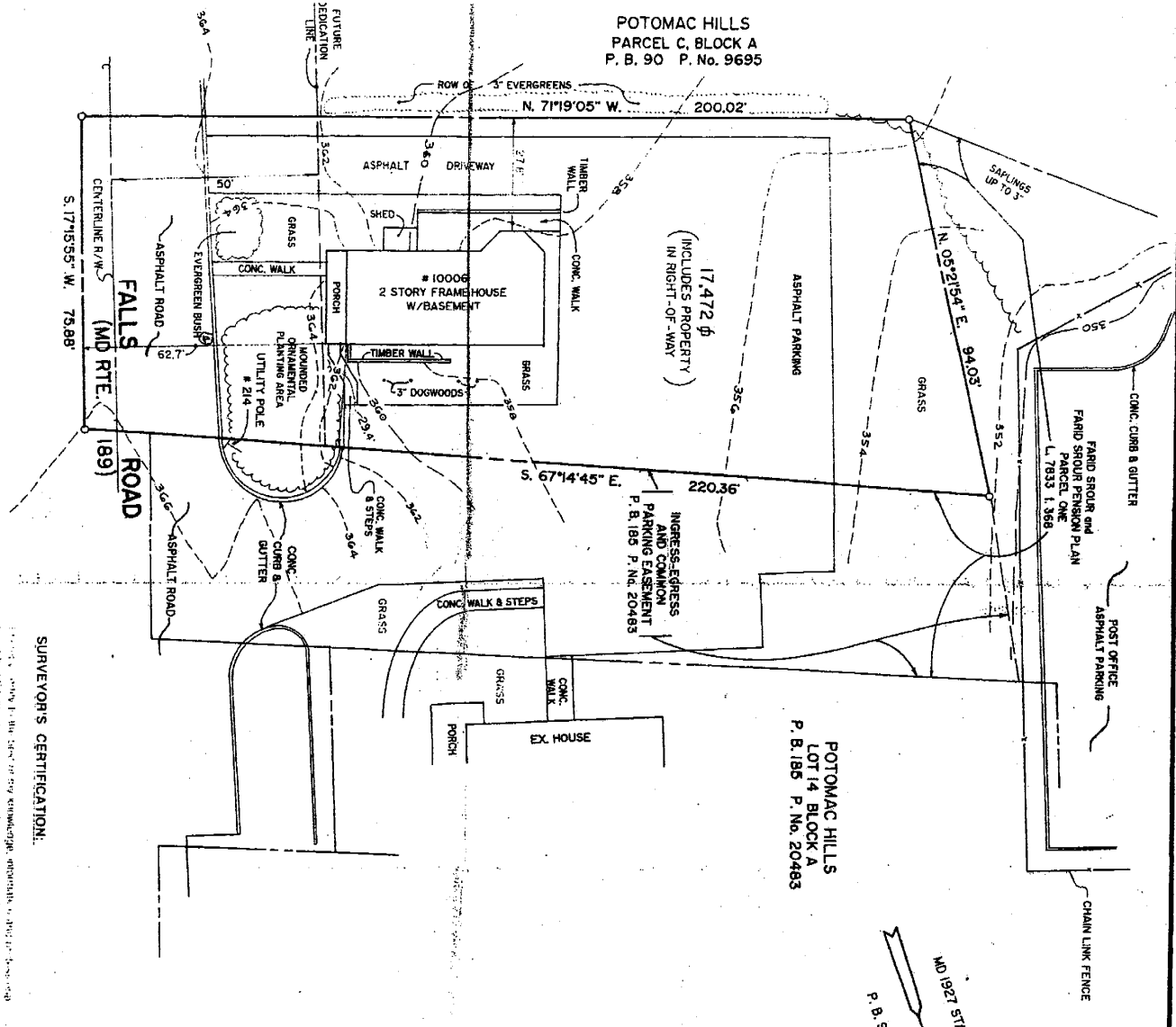
Based on the preceding analysis and findings, staff recommends approval Special Exception S-2678, subject to the conditions found at the beginning of the technical staff report.

ATTACHMENTS

S-2678 Farzam and Francesca Tamami



POTOMAC HILLS
 PARCEL C, BLOCK A
 P. B. 90 P. No. 9695



VICINITY MAP
 SCALE: 1 in. = 2000 ft.

GENERAL NOTES:

The survey was conducted by a Registered Surveyor for the State of Maryland. The survey was conducted in accordance with the Maryland Surveying and Mapping Act of 1996. The survey was conducted on the 10th day of January, 2004. The survey was conducted at the address of the property shown on this plan.

- PROPERTY INFORMATION:**
- 1. Easement for utility lines.
 - 2. Tax Map, FFD, 1993, Parcel 10006.
 - 3. Zoning, R-10.
 - 4. SETBACKS: Front 12.00', Side 12.00', Rear 12.00'.

THIS PLAN IS TO BE USED ONLY FOR THE PURPOSE AS TITLED. OTHER INFORMATION...

PREPARED FOR:
 Mr. Farid Srour, Owner
 c/o F.S. Peoples Realty
 14672-O Southlawn Lane
 Rockville, MD 20850
 301-294-8773 FAX: 301-294-8775

A.E.S. ASSOCIATES
 Surveying, Land Planning and Consulting Services
 17631 Columbia Circle
 Olney, Maryland 20832-2169

SPECIAL EXEMPTION SITE PLAN
SROUR PROPERTY
 TAX MAP FP342 PARCEL P165
 LIBER 8010 FOLD 660

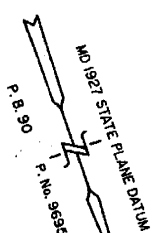
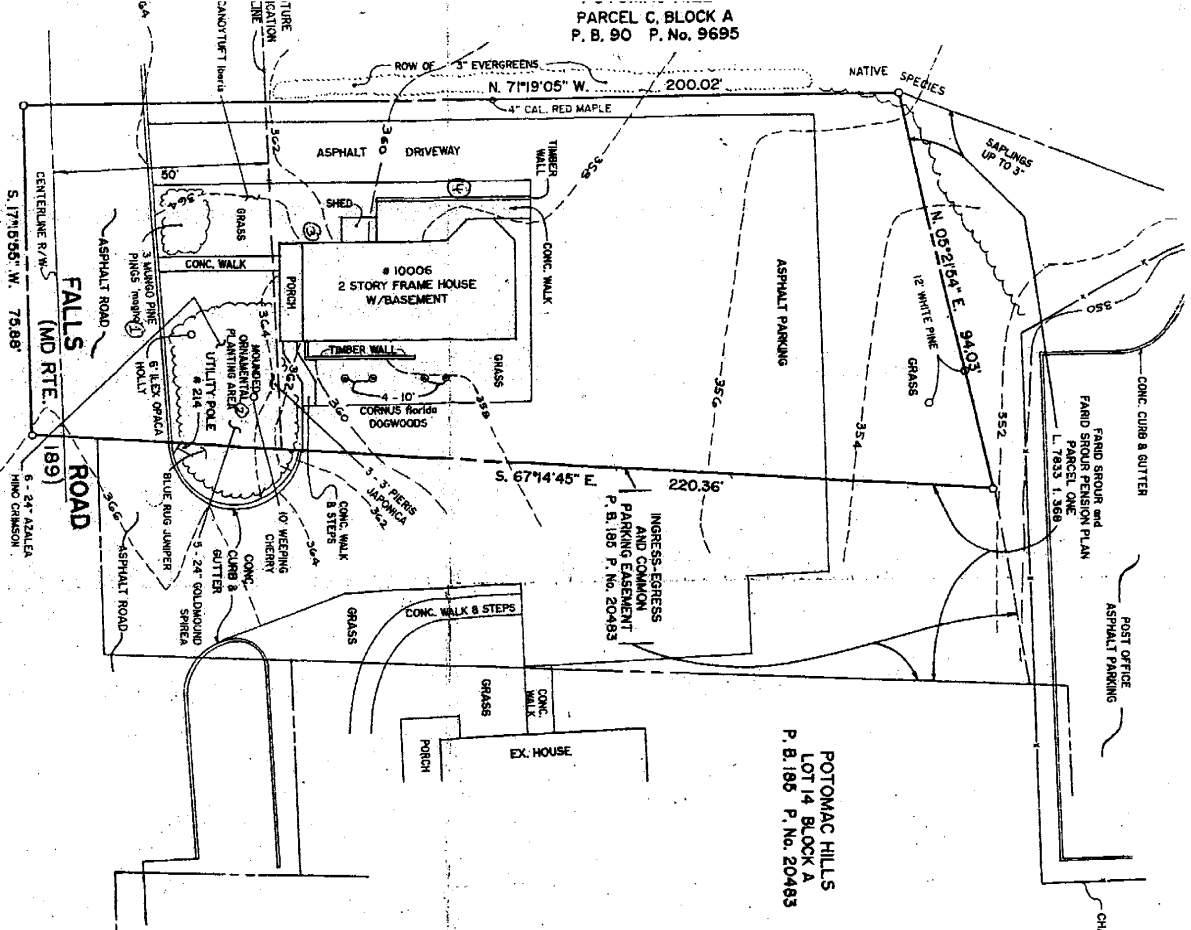
ADVANCE PRINT NOT APPROVED
 PRINT MADE *03/02/04*

DATE: 2-25-2004
BY: [Signature]
FOR: [Signature]

SURVEYOR'S CERTIFICATION:
 I, the undersigned, being a duly licensed and registered Professional Surveyor for the State of Maryland, do hereby certify that I am the author of this plan and that it is a true and correct copy of the original plan as shown to me by the owner.

SITE ADDRESS:
 10006 FALLS ROAD
 POTOMAC, MD 20854

PARCEL C, BLOCK A
P. B. 90 P. No. 9695



LEGEND:
CONC. = CONCRETE
EX. = EXISTING

REMARKS	BY	DATE
ENTIRETY OF REMOVAL OF 10' WIDE ASPHALT DRIVEWAY	EXT	3/10/06
REMOVAL OF 10' WIDE ASPHALT DRIVEWAY	EXT	3/10/06
REMOVAL OF 10' WIDE ASPHALT DRIVEWAY	EXT	3/10/06
REMOVAL OF 10' WIDE ASPHALT DRIVEWAY	EXT	3/10/06
REMOVAL OF 10' WIDE ASPHALT DRIVEWAY	EXT	3/10/06
REMOVAL OF 10' WIDE ASPHALT DRIVEWAY	EXT	3/10/06
REMOVAL OF 10' WIDE ASPHALT DRIVEWAY	EXT	3/10/06
REMOVAL OF 10' WIDE ASPHALT DRIVEWAY	EXT	3/10/06
REMOVAL OF 10' WIDE ASPHALT DRIVEWAY	EXT	3/10/06
REMOVAL OF 10' WIDE ASPHALT DRIVEWAY	EXT	3/10/06

LANDSCAPING BY:
MR. DAVID HOE, LANDSCAPE PLANNER
c/o F.S. PEOPLES REALTY
14672-0 SOUTH LANE
ROCKVILLE, MD 20850
301-294-8773 FAX: 301-294-8775

SITE ADDRESS:
10006 FALLS ROAD
POTOMAC, MD 20854

PREPARED FOR:
MR. FARID SROUR, OWNER
c/o F.S. PEOPLES REALTY
14672-0 SOUTH LANE
ROCKVILLE, MD 20850
301-294-8773 FAX: 301-294-8775

10TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1 in. = 20ft. JANUARY, 2004

A.E.S. ASSOCIATES

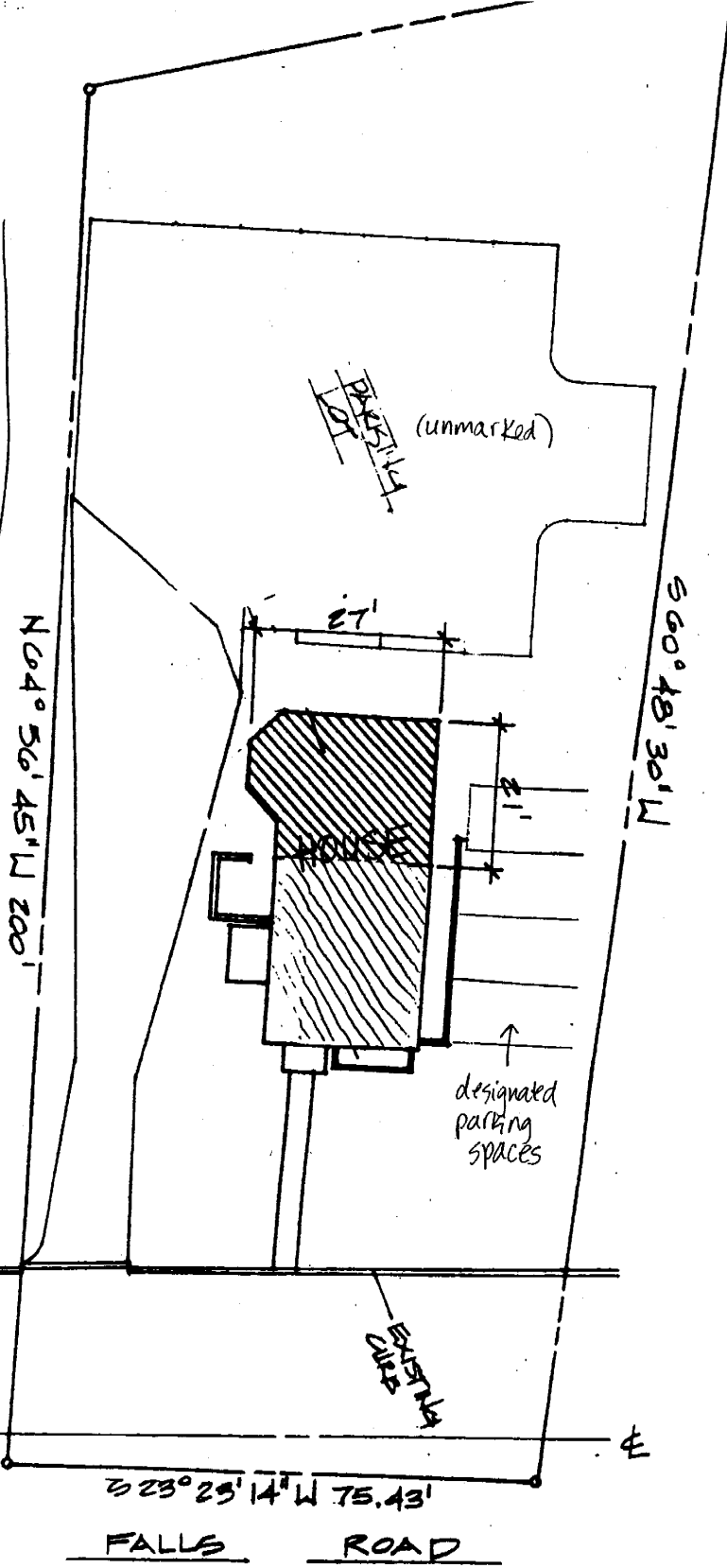
**SPECIAL EXEMPTION
LANDSCAPE PLAN
(CURRENTLY INSTALLED)**

SROUR PROPERTY

TAX MAP FP342 PARCEL P165
LIBER 8010 FOLD 660

Surveying, Land Planning and Consulting Services
One, Maryland Green Road
17631 Coorse Creek Road
301-571-0394
A.E.S. JOB NO. MC59D057SRH
SHEET 2 OF 2

SITE PLAN
1" = 20'



RECEIVED
JUN 23 2006
DEVELOPMENT REVIEW DIVISION

EXISTING DRIVE



September 5, 2006

MEMORANDUM:

TO: Elsabett Tesfaye
Community-Based Planning Division

VIA: Daniel K. Hardy, Supervisor *DKH*
Transportation Planning

FROM: Ki H. Kim, Planner *KHK*
Transportation Planning

SUBJECT: Special Exception Application No. S-2678
Medical Practitioner's Office at 10006 Falls Road
Potomac

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject special exception petition. The subject special exception is for a medical practitioner's office for use by other than a resident of the building located at 10006 Falls Road, Potomac.

RECOMMENDATION

Based on our review of the site plan and the traffic statement submitted by the applicant, staff recommends the following conditions as part of the APF test related to approval of the subject special exception application.

1. The applicant shall provide a five-foot-wide concrete sidewalk along Falls Road from the southern end of the property to the existing northern driveway.
2. The applicant shall close off access to Falls Road from the southern driveway per the Maryland State Highway Administration (SHA) recommendation.

DISCUSSION

Local Area Transportation Review

Based on information submitted by the applicant, the proposed use of the existing building as a medical practitioner's office would generate a maximum of eight peak-hour trips during the weekday morning (6:30 a.m. to 9:30 a.m.) and evening (4:00 p.m. to 7:00 p.m.) peak periods. Therefore, no traffic study is required to satisfy the Local Area Transportation Review test.

Site Access and Vehicular/Pedestrian Circulation

Two access points to the site exist on Falls Road (MD 189). Falls Road is classified as a Major Highway (M-14) with a 12-foot-wide minimum recommended right-of-way and a dual bikeway (DB-19) consisting of both a shared roadway and an off-road shared-use path. In the vicinity of the subject site, the shared-use path is located along the east side of Falls Road.

A 50-foot-wide ingress-egress easement off Falls Road to the north of the property serves a common parking area for both the subject site and the property at 10008 Falls Road to the north. All three properties, 10006 Falls Road, 10008 Falls Road, and the intermediate property, are in common ownership. The subject property also has a second driveway to Falls Road along the southern property line. Transportation Planning staff supports the SHA's recommendation to close off the existing southern driveway along Falls Road. SHA's recommendation was described in their letter dated November 4, 2004, when they reviewed the Special Exception Application S-2620 for the previous application on the same site. This recommendation addresses an access management objective to limit driveway access on roadways such as major highways whose primary purpose is mobility rather than access.

Currently there is no sidewalk along the site frontage. A sidewalk along the west side of Falls Road ends immediately south of the site at a marked crosswalk. Staff also recommends that the applicant extend this sidewalk along Falls Road across the frontage of the site to the curb return at the northern parking area access point. This sidewalk will provide a sidewalk connection between the subject property and other destinations toward the Village center. The two parcels affected extend eastward beyond the Falls Road curb line. Because the proposed petition does not require subdivision, this sidewalk extension will be located on private property. Staff finds that providing a sidewalk along Falls Road, in front of the site, and closing off access from southern driveway would enhance pedestrian/vehicular circulation system in the vicinity of the site.

Summary

Transportation Planning staff concludes that the granting of the requested Special Exception to allow the medical practitioner's office on the site with the roadway improvement condition as recommended in this memorandum would not have an adverse effect on the nearby road system.

KHK:gw

MEMORANDUM

FROM: Callum Murray

TO: Elsabett Tesfaye

SUBJECT: Board of Appeals Case No. S-2678
Srou Property, 10006 Falls Road, Potomac.
Community-based Planning comments

DATE: August 30, 2006

I refer to the above Board of Appeals case, where the petitioner is seeking approval of a special exception for a medical practitioner's office for use by other than a resident of the building located on Parcel 165, 10006 Falls Road, Potomac.

The Parcel consists of approximately 17,420 square feet, and is located in the R-200 zoning classification. The property is one of several known as the Habibi/Srou properties addressed by the 2002 Approved and Adopted Potomac Subregion Master Plan (Page 62). These properties are located in the northwest quadrant of the intersection of Falls and River Roads between the commercial core of Potomac Village and the residential areas to the north and west. The Potomac Public Library (R-200) and the Village at Potomac subdivision zoned PD-5 are to the east, the U.S. Post Office and Potomac Electric Power Company (R-200) are to the southwest and an office building and bank zoned C-1 (Convenience Commercial) are to the south.

The property presently forms a transition from the commercial core to the single-family residential area bordering the village, and in this respect is similar to the transition uses existing on several other edges of the commercial center. The 2002 Potomac Subregion Master Plan explored but rejected commercial zoning for the property, and recommended the retention of the R-200 zoning. It further identified the Parcel as part of a potential assembly of properties suitable for housing for the elderly.

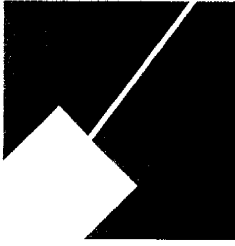
The present proposal is a fairly modest extension of the existing use of the property. Since no new construction is proposed, a preliminary plan of subdivision is not required. Parking and access appear adequate, but the following improvements are recommended to upgrade the appearance of this entryway to Potomac village.

1. Provide a plan detailing parking spaces for both staff and patients
2. Provide a sidewalk
3. Close off access from southern driveway

4. Provide a landscape plan indicating extension of the sidewalk across the existing southern driveway, and supplementing planting on the south, west and eastern sides of the property, and complying with Zoning Ordinance Sec. 5-E-2.7, Sec.59-E-2.8, and Sec 59-E-6.1and Sec.59-E-6.3 if applicable.

Subject to the above conditions, the Community-based Planning Division recommends APPROVAL.

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

MEMORANDUM

Date: August 1, 2006
To: Elsabett Tesfaye
Community Based Planning Division
From: Taslima Alam *TBA*
Subject: Board of Appeals Petition No. S-2678

The subject property is on an unrecorded parcel of land. In the event of any new buildings or an increase in building square footage, conformance under chapter 50 will be required prior to the issuance of any building permit.

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

MEMORANDUM

DATE: April 14, 2006

TO: John Carter, Community Based Planning Division
Melissa Banach, Strategic Planning Division
Tom Vanderpoel, Community Based Planning Division
Mary Dolan, Environmental Planning Division
Daniel Hardy, Transportation Planning Division
Tanya Schmieler, Park Planning and Development Division
Gwen Wright, Historic Preservation Unit
Taslima Alam, Development Review Division
Callum Murray, Community Based Planning Team 4

FROM: Carlton Gilbert
Development Review Division

*No comment
M. Oakes
5-19-06*

PLEASE REPLY TO: Elsabett Tesfaye

SUBJECT: Board of Appeals Petition No. S-2678

Special Exception Request: Medical practitioner's office for use by other than a resident of the building.
Location: 10006 Falls Road, Potomac **Zone:** R-200

Please assign a person on your staff to review the case cited above. Written comments and recommendations are requested by **Tuesday, August 1, 2006** for the staff report on this case. Staff may sign case files out of the Development Review Division, briefly, for review.

In addition to any other observations, it would be helpful to have your input on the following:

Community Based Planning: 1) consistency with master plan, 2) whether the special exception will adversely affect the surrounding area, 3) any information or recommendation concerning relevant master planning studies or other government action now under way.

Environmental Planning: 1) environmental impact due to topographic or other factors which may cause problems, 2) conformance with tree preservation legislation of Chapter 22-A of the County Code.

Transportation Planning: traffic impact and adequacy of road network affected by request.

Park Planning & Development: impact on existing or proposed park areas.

Development Review: applicable subdivision requirements.

Petition for Special Exception
Farzam & Francesca Tamami
10006 Falls Road

STATEMENT OF OPERATIONS AND SUMMARY OF PROOF

I. Introduction

Petitioners, Dr. and Mrs. Farzam and Francesca Tamami, seek approval of a special exception for a medical practitioner's office for use by other than a resident of the building, pursuant to Section 59-G-2.36 of the Zoning Ordinance. The subject property is located at 10006 Falls Road in Potomac, Maryland, and is identified as Parcel 165 on Tax Map FP342. It is owned by David G. Srou, et al. and leased by petitioners.

The subject property consists of approximately 17,420 square feet and is located in the R-200 zoning classification. It is improved with a two-story single family house with rear exposed basement level. The first floor is approximately 1,100 square feet and, at present, is used by Dr. Tamami as a dental office pursuant to a home occupation permit. The second floor and basement are used by petitioners and their infant child as a personal residence.

The subject property is surrounded by property used for commercial or business purposes. To the north is a single-family house, also owned by David Srou, that is used for residential and business purposes. To the south is a commercial office building. Across Falls Road, to the east, is the Potomac Community Library and Potomac Village Shopping Center. Behind the property, to the west, is the Potomac post office.

Because of changes in his family situation, Dr. Tamami would like to move his personal residence from the house but maintain his dental office on the first floor. In May 2005, Dr. Tamami made a substantial financial investment, of over \$300,000, to renovate and equip the first floor dental office, and he has expended serious time and money in advertising and promoting the dental office at 10006 Falls Road. Thus, it would be impractical and financially detrimental to his business to relocate the dental office, as well as inconvenient for his patients who have come to rely on the current location. Accordingly, he seeks permission to continue to operate the dental office as a nonresident of the property. He intends to continue to lease the entire house and sublet the second floor and basement for residential use. Not less than 50% of the floor space of the house would be devoted to residential uses, as required by Section 59-G-2.36(a)(2) of the Zoning Ordinance.

Exh. 3

Previous Special Exception Petition

This is the second petition for a special exception for a medical practitioner's office for use by other than a resident of the building filed for this property. In 2004, David Srour filed a similar petition on behalf of the then-tenant, Dr. Gigi Meinecke, who was operating a dental office on the property at the time. That petition was assigned Case No. S-2620. Dr. Meinecke ultimately moved out of the property and closed her dental office, and the petition was withdrawn by the petitioner before a ruling was issued.¹

The state and use of the property is, in all material respects, unchanged since the filing of the petition in No. S-2620, and thus the information supporting that petition supports the present petition as well. The only significant changes are that (1) Dr. Tamami now leases the property and operates the dental office, (2) cosmetic renovations were made to the interior of the house, and (3) minor landscaping improvements were made, as noted on Exhibit 5 (landscape plan).

II. Statement of Proposed Operation and Summary of Proof

The following is a description of the proposed operation of the special exception and an explanation of how it complies with Sections 59-G-1.21 and 59-G-2.36 of the Zoning Ordinance. At the public hearing, Dr. and Mrs. Tamami will discuss these issues in greater detail. They do not anticipate calling any additional witnesses, and their presentation will take approximately 30 minutes.

Proposed Operation of Special Exception

Dr. Tamami proposes to operate the dental office as a special exception in virtually the identical manner that he would operate it as a home occupation. At present, he is the only dentist on site, and he does not plan to hire another dentist. In any event, at no time would there be more than two dentists on site, as required by Section 59-G-2.36(a)(4) of the Zoning Ordinance.

Dr. Tamami currently employs one part-time dental assistant and one full-time receptionist. As the demand for his services grows, he may hire a part-time dental hygienist. In any event, on any given day, there would be no more than four workers on site – one dentist, one dental assistant, one receptionist, and one hygienist.

¹ A request to refund a portion of the filing fee was denied by the Board of Appeals.

At present, the dental office is open Mondays, Wednesdays, and Fridays, from 8:00 a.m. to 5:00 p.m. On rare occasions, Dr. Tamami sees emergency patients after-hours and accommodates patients on Saturday mornings. Dr. Tamami intends to open the office on Tuesdays and Thursdays, from 8:00 a.m. to 5:00 p.m., once his patient base has increased. Thus, it is anticipated that the office will be open to patients Monday through Friday from 8:00 a.m. to 5:00 p.m., with occasional after-hours or weekend emergency appointments. There are never more than two patients on site at the same time, and the maximum number of patients that visit the office in one day is eight.

There is an existing parking lot located on the north side and rear of the house that is accessed from two driveways connected to Falls Road. The driveway on the north side of the house is shared with the neighboring property.² Four spaces are designated as patient parking on the north side of the house, and there is ample, unmarked parking for residents to the rear of the house.

There are recessed lights on the porch of the residence, as well as low-voltage halogen landscape lights on a mounded ornamental planting area next to the parking area. Flood lights to illuminate the rear parking area are rarely used, and, if so, only after dark. A wooden sign identifying the dental practice is located in front of the house, along Falls Road.³ It is illuminated after dark by two low-voltage halogen landscape lights located on either side of the sign. The lighting on the property does not impact the surrounding properties, which are primarily used for commercial purposes.

There is no proposal to change or alter the premises in any way, in accordance with Section 59-G-2.36(a)(1) of the Zoning Ordinance.

Office Space in the Surrounding Area

Section 59-G-2.36(a)(3) of the Zoning Ordinance requires that office space suitable for the practice of dentistry be unavailable in the nearest commercial zone. For the reasons discussed in the Introduction, it would be financially detrimental to Dr. Tamami's practice to move his existing office, including his

² When the petition in No. S-2620 was under consideration, a recommendation was made to close the southern driveway so that the property could only be accessed by the northern, shared driveway. It should be noted that vehicles exiting the property cannot turn left (north) onto Falls Road from the shared driveway because trees on neighboring property block the view of traffic traveling south on Falls Road. For the same reason, right turns onto Falls Road from the shared driveway are also dangerous. Indeed, at present, visitors to both the subject and neighboring property use the shared driveway to enter the properties and the northern driveway to exit onto Falls Road.

³ A sign permit was applied for in 2005.

Petition for Special Exception
Farzam & Francesca Tamami
10006 Falls Road

newly-installed equipment, from its current location. Moving the practice would entail prohibitively high costs, such as plumbing a new space for dental office use.

In any event, the petitioners contacted the property managers of the commercial buildings in Potomac Village and were informed that, as of the date of this petition, there is no space suitable for a dental office available for lease in the following buildings: Semmes Building, 10220 River Road; Potomac Promenade, 9812 Falls Road; Potomac Place Shopping Center Courtyard; Potomac Village Shopping Center, 10101 River Road; and 10000 Falls Road.

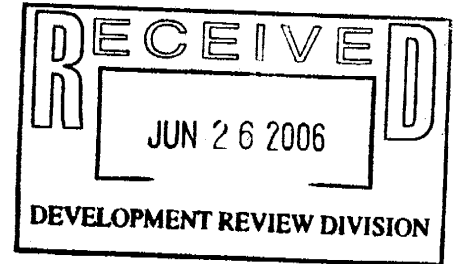
Consistency with Potomac Master Plan

As required by Section 59-G-1.21 of the Zoning Ordinance, the proposed special exception is consistent with the general plan for physical development of the district and the Potomac Subregion Master Plan (April 2002). No construction or expansion of the property is proposed, and the residential appearance of the property and partial residential use would be maintained, thus contributing to the Plan's vision of the Potomac Subregion as a low-density residential "green wedge." The proposed special exception also comports with the Master Plan's goal of maintaining a transition area between the commercial core of Potomac Village and the single-family residential area bordering the Village. (See Master Plan, p.67 (Exh. 11).) The Master Plan specifically contemplates allowing special exceptions on this property, and the proposed special exception is ideal, as it involves a low-volume, professional practice primarily serving residents of Potomac, while still maintaining residential use of a majority of the property.

Farzam & Francesca Tamami
10006 Falls Road
Potomac, MD 20854

June 22, 2006

Candy Bunnag
Environmental Planning
M-NCPPC
8787 Georgia Avenue
Silver Spring, MD 20910



Re: Exemption Recertification for NRI/FSD #4-04222E
(For special exception petition No. S-2678)

Dear Ms. Bunnag:


Enclosed in an application for a recertification of the Forest Conservation Exemption that was issued for our property, 10006 Falls Road, Potomac, Maryland 20854, on February 27, 2004. It is our understanding that this exemption has expired, and we must apply for a recertification in connection with our pending special exception application.

As we discussed on the phone on June 8, 2006, we are seeking a Forest Conservation Exemption letter in connection with a special exception application that has been filed with the Board of Appeals. We currently operate a dental office on the first floor of the subject property (our home) pursuant to a home occupation permit. We are applying for a special exception to operate the dental office as non-residents of the property, *i.e.*, so that we can move out of the residence, but continue to operate the dental office there. We are not proposing any physical changes to the property in connection with the special exception. A Forest Conservation Exemption previously was issued for this property in connection with a previous resident's special exception application. There have been no significant changes to the property since that time.

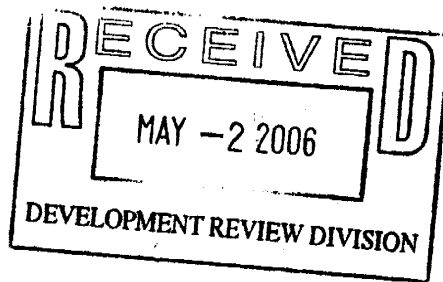
As you advised in our phone call, we are submitting herewith an application for Forest Conservation Exemption Review; a copy of the plan that was submitted with the previous application; a copy of the old approval letter; and a letter from the plan preparer stating that there have been no significant changes to the property. Also enclosed is a check for the \$180 filing fee. Please let me know if you need any additional materials.

I can be reached during the daytime at (202) 514-1882. Thank you for your help.

Sincerely yours,


Francesca U. Tamami

cc: Elsabet Tefaye
(without attachments)



Francesca Tamami
10006 Falls Road
Potomac, MD 20854

May 1, 2006

Elsabeth Tesfaye
M-NCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

Re: *Special Exception No. S-2678*
Petition of Farzam & Francesca Tamami

Dear Ms. Tesfaye:

In response to the inquiry of Mr. Kim, we are providing the following traffic statement regarding trips made in and out of the subject property during the peak morning hours of 6:30 a.m. to 9:30 a.m. and the peak evening hours of 4:00 p.m. to 7:00 p.m.:

<u>Time</u>	<u>In</u>	<u>Out</u>
6:30-8:00	0	0
8:00-8:30	3 (staff arrives)	0
9:00-9:30	2 (max of 2 patients arrive)	0
4:00-5:00	1 (last patient arrives)	1 (patient leaves)
5:00-5:30	0	1 (last patient leaves)
5:30-6:00	0	3 (staff leaves)
6:00-7:00	0	0

If you have any additional questions, please contact us at (301) 983-1043. Thank you.

Sincerely,

Francesca Tamami
Francesca Tamami


Cc: Board of Appeals
Martin Klauber, People's Counsel

Certificate of Compliance

I certify that this traffic statement was sent, by first-class mail, on May 1, 2006, to the following parties at the addresses listed below:

Board of Appeals
100 Maryland Avenue
Room 217
Rockville, MD 20850

Martin Klauber
People's Counsel for Montgomery County
100 Maryland Avenue
Room 226
Rockville, MD 20850



Francesca Tamami