



## DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Carla Reid  
Director

June 1, 2009

Tilden Woods  
Recreation Association  
Ross Dicker  
P.O. Box 2563  
Rockville MD 20847-2563

RE: Special Exception CBA-1383

Dear Mr. Dicker:

Tilden Woods Recreation Association, Inc. was conditionally granted a special exception (CBA-1383) on April 26, 1963 to permit the construction and operation of a community swimming pool on Tilden Lane. Please be advised that an inspection will be conducted of the swimming pool in mid-June to confirm compliance with the terms and conditions of the special exception. The inspection will be conducted based on the exhibits of record with the Board of Appeals. I have enclosed copies of the following exhibits for your reference:

- "Opinion of the Board" granting the special exception
- Exhibit #3 – Layout for swimming pool (large plan)
- Exhibit #4 – Bath house (large plan)
- Exhibit #11 – Site plan (large plan)

In the event that violations of the special exception are found at the time of the inspection, a written *Inspection Report* will be issued to the petitioner (Tilden Woods Recreation Association, Inc.) with a scheduled compliance date.

If you have any questions or concerns, or if you would like to schedule a date to meet with me on-site to conduct the inspection, please contact me by phone at 240-372-9620 (cell, 7:30 AM – 4:00 PM) or via email at [Barbara.piczak@montgomerycountymd.gov](mailto:Barbara.piczak@montgomerycountymd.gov). Thank you for your cooperation.

Sincerely,

Barbara J. Piczak (pea-zak)  
Permitting Services Inspector

Enclosures

cc: Montgomery County Board of Appeals  
Lighthouse Management (without enclosures)

Certified mail, return-receipt requested

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CBA -  
Case No. 1383

PETITION OF TILDEN WOODS RECREATION ASSOC., INC.  
(Hearings held March 21 and March 28, 1963)

OPINION OF THE BOARD

This proceeding is on a petition for a special exception under Section 104-29(z-4) of the Zoning Ordinance (Chap. 104, Mont. Co. Code 1960, as amended) to permit the construction and operation of a Community Swimming Pool on approximately two acres, fronting on Tilden Lane, Tilden Woods Subdivision, Rockville, Maryland in an R-90 Zone.

The petitioner is a Maryland non-profit corporation organized to own and operate a community swimming pool. A membership of 350 families is proposed and adequate off-street parking is provided.

The subject property is surrounded by residentially zoned land. On the west and to the north the adjoining or confronting property is being developed with single family residences. On the east and to the south the proposed pool adjoins a park.

The petitioner produced evidence (Ex. 13) which indicated that water and sewer mains to service the pool are existing. In addition, the association shows a cash position in excess of 60 percent of the total cost.

Pursuant to Section 104-28(a) of the Ordinance, the Board imposes the following conditions:

1. Fencing and screening of the north and west boundaries shall be in accordance with Exhibit 11.
2. Instead of the five foot chain link fence proposed on the south and east, the association shall provide a five foot wooden fence along the eastern and southern boundary lines set back at least three feet from the property. The three foot planting strip between the property line and the fence shall be planted with evergreen shrubs or trees so as to adequately screen the pool from view.
3. The hours of operation shall be from 9:00 a.m. to 9:00 p.m., six days a week, and from 11:00 a.m. to 9:00 p.m. on Sunday. There may be six late nights of operation no later than 11:00 p.m.

Subject to the foregoing conditions, the Board finds that all of the relevant requirements of the ordinance has been met.


Accordingly, the special exception for the proposed use in the manner set forth in the exhibits and testimony, is granted.

The Board adopted the following Resolution:

"Be it Resolved by the County Board of Appeals for Montgomery County, Maryland, That the opinion stated above be adopted as the Resolution required by law as its decision on the above-entitled petition".

The foregoing Resolution was proposed by Mrs. Rita C. Davidson, Vice Chairman, and concurred in by Messrs. Philip M. Fairbanks, Chairman, J. Hodge Smith, Page F. Hopkins and Bernard D. Gladhill, constituting all the members of the Board.

I do hereby certify that the foregoing Minutes were officially entered upon the Minute Book of the County Board of Appeals this 26th day of April, 1963.

  
Acting Clerk to the Board

NOTE: Please see Section 104-24(c) of the Ordinance regarding the 12-months' period within which the right granted by the Board must be exercised.

This opinion sent to all persons who received notice of the hearing.