



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

OFFICE OF  
THE GENERAL COUNSEL

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September 23, 2003

**VIA UNITED STATES MAIL**

Ms. Kathleen Michels  
Upper Sligo Civic Association  
1701 Ladd Street  
Silver Spring, MD 20902

RE: Reconsideration Request  
Preliminary Plan No. 1-02023 (Westchester)

Dear Ms. Michels:

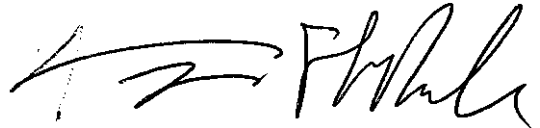
I am responding to your letter addressed to Derick Berlage, which was transmitted electronically on July 22, 2003, and supplemented on August 11, 2003. You requested that the Planning Board hold a new public hearing on the above-captioned Preliminary Plan application. Please be advised that your request for reconsideration was untimely filed and, therefore, consistent with its Rules of Procedure, the Board will not conduct any further hearings on this case.

On May 22, 2003, the Planning Board considered the Westchester preliminary plan application during its regularly scheduled hearing. The Board conditionally approved the creation of one lot, finding that the application is in accordance with the purposes and requirements of Chapter 50 of the Montgomery County Code. The Planning Board issued its written opinion on June 10, 2003. Pursuant to the Board's Rules of Procedure, Section 11 (Reconsideration), in order to consider a request for reconsideration in this case, the Planning Board must have received any such request by June 20, 2003 (within 10 days of the opinion mailing date). As noted above, however, your request was transmitted and received more than forty days following the date of the final decision and is considered untimely filed.

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For your convenience and information, please find attached to this letter a copy of the Rules of Procedure for the Montgomery County Planning Board, which, in addition to the rules pertaining to Reconsideration, includes the applicable Notice procedures in Section 2.

Sincerely

A handwritten signature in black ink, appearing to read 'Tariq A. El-Baba', written in a cursive style.

Tariq A. El-Baba  
Associate General Counsel

Enclosure

cc: Derick P. Berlage, Chairman  
A. Malcolm Shaneman, Supervisor, Development Review Division

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