

**OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue, Room 200
Rockville, Maryland 20850
<http://www.montgomerycountymd.gov/ozah/index.html>
Phone: (240) 777-6660; Fax (240) 777-6665**

CASE NO. CU 20-02

APPLICATION OF EDMONSON & GALLAGHER PROPERTY SERVICES, LLC

NOTICE OF PUBLIC HEARING

Please take notice that Office of Zoning and Administrative Hearings for Montgomery County, Maryland, will hold a public hearing at the Broome School, 751 Twinbrook Parkway, Rockville, Maryland 20851 on **Friday, May 11, 2020, at 9:30 a.m.**, or as soon thereafter as this matter can be heard, on an application for conditional use to operate an Independent Living Facility for Seniors with 111 units under Section 59.3.3.2.C of the Zoning Ordinance.

The legal description of the subject property is Parcel 507, Middlebrook subdivision. The property is located on Frederick Road approximately .14 miles from the intersection with Plummer Drive, Germantown, MD (Tax Account Number 09-00767475). It is zoned R-90.

PLEASE NOTE: Due to the COVID-19 emergency, and the directives of the Governor of the State of Maryland, this hearing may be postponed or in the alternative, held remotely. Please check OZAH's website (above) at least two days before the hearing to obtain instructions for a remote hearing or an announcement that the hearing has been continued.

OZAH is now operating remotely to the extent possible. You may review the application online at <https://montgomeryplanning.org/development> under the application number CU202002. Other documents and the entire file may be reviewed in the Office of Zoning and Administrative Hearings by appointment. To make an appointment to review the file, please call Pam Hughes at (240) 777-6667.

Persons or associations that are (1) represented by counsel, (2) intending to appear in organized opposition, **or** (3) intending to introduce expert evidence or testimony must file a pre-hearing statement containing the information required by Rules 3.4 and 3.5 of OZAH's Rules of Procedure (Rules). Filings must include an electronic copy of the statement and all attachments. These Rules may be found on OZAH's website at <http://www.montgomerycountymd.gov/ozah/>. The Applicant must submit its pre-hearing statement at least 30 days before the public hearing. Persons in opposition that are required to file a pre-hearing statement must do so no less than 20 days before the public hearing.

In compliance with Maryland requirements regarding the practice of law, groups or associations must have counsel unless their witnesses are members of the group or association who will offer testimony in narrative form (*i.e.*, there is no need for an attorney to conduct a direct examination).

In addition to all other requirements, any party submitting documentary evidence for the record must file electronic copies of their submissions. Amended electronic copies must also be submitted of any amended documents. Electronic copies must be submitted on external storage media, including Compact Discs or DVDs, in Microsoft WORD format for text documents, and in PDF format for plans, photos and other non-text documents.

Nothing in this notice is intended to limit the rights of individual members of the public to testify during the hearing or to submit pertinent written materials at any time while the record remains open for that purpose. You may submit a signed letter to OZAH, which will be considered by the Hearing Examiner as part of the record but doing so will not automatically make you a party of record. Applicants and members of the public who testify at an OZAH hearing, whether for or against the application, are automatically considered parties of record. A person or organization that does not wish to appear at the OZAH hearing but wishes to be a party of record may request that status in a signed letter to OZAH. *See* OZAH Rule 3.1.

If you need services to participate in a public hearing, please contact this Office no later than seven (7) days in advance of the public hearing by calling 240-777-6660 (TTY 240-777-7914) or emailing us at ozah@montgomerycountymd.gov. OZAH cannot guarantee that an interpreter can be made available if notified of the request less than seven (7) days in advance of the public hearing. This document is available in alternative format such as large print upon request, via the same phone numbers and email address.

Notices forwarded this 27th day of March 2020, to:

Jody S. Kline, Esquire

Attorney for the Applicant

Charles Frederick, Esquire, Associate County Attorney

Director, Department of Permitting Services Greg Nichols, Manager, SPES at DPS

Alexandre Espinosa, Director, Finance Department Washington Suburban Sanitary Commission
Montgomery County Public Schools

Abutting and Confronting Property Owners

(or a condominium's council of unit owners or renters, if applicable) Civic, Renters' and Homeowners' Associations within a half mile of the site Any Municipality within a half mile of the site

Office of Zoning and Administrative Hearings



by: _____
Lynn Robeson Hannan
Hearing Examiner