

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
for

MONTGOMERY COUNTY

Stella B. Werner Council Office Building

100 Maryland Avenue, Room 200

Rockville, Maryland 20850

<https://www.montgomerycountymd.gov/ozah/index.html>

Phone: (240) 777-6660; Fax (240) 777-6665

CASE NO. CBA 2643-A

PETITION TO MODIFY SPECIAL EXCEPTION

NOTICE OF PUBLIC HEARING

Please take notice that Office of Zoning and Administrative Hearings for Montgomery County, Maryland (OZAH), will hold a public hearing on **Friday, March 5, 2021, at 9:30 a.m.**, or as soon thereafter as this matter can be heard, on the petition of the Audubon Naturalist Society for a major modification to its existing special exception (CBA-2643-A) to operate a philanthropic and charitable organization under §59-G-2.21 of the 2004 Montgomery County Zoning Ordinance.

The subject property is located at 8940 Jones Mill Road, Chevy Chase, Maryland and is further identified as Parcel P744, Tax Map HP561. The property is zoned R-90.

PLEASE NOTE: Due to the COVID-19 pandemic, this hearing will be held remotely via Microsoft Teams. You do not need to sign up in advance to testify or view the hearing. You do not need a subscription to Microsoft Teams to join the hearing. Instructions to access the public hearing may be found under the link “Public Hearing Remote Access and Exhibits” and the Hearing Calendar on OZAH’s website at least two days before the public hearing.

All exhibits filed in the case will be available to view via the link “Public Hearing Remote Access and Exhibits” on OZAH’s website at least two days before the public hearing. Exhibits are removed the day after the public hearing so that staff can prepare for the next hearing. If you wish to download any of the exhibits, you should do so no later than 5:00 p.m. of the day of the public hearing.

OZAH is now operating remotely to the extent possible. You may review the application online at <https://montgomeryplanning.org/development> under the application number CBA2643. If you wish to review the full file (all submission in the case) before it is published on the website or have other questions, please contact Sara Behanna at (240) 777-6661 or by email to Sara.Behanna@montgomerycountymd.gov.

This application is governed by the 2004 Montgomery County Zoning Ordinance. A link to the 2004 Zoning Ordinance on line is: https://codelibrary.amlegal.com/codes/montgomerycounty/19d765ec-b313-4289-b6b6-4faf5d4c0cb2/montgomeryco_md_zone/0-0-0-49228.

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 OZAH's Amended Land Use Rules of Procedure. These Rules may be found on OZAH's website listed above. 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. Deadlines for submissions are close of business (5:00 p.m.) on the date due. If the County is not open on the date due, the deadline is 5:00 p.m. on the next business day.

Any party submitting documentary evidence for the record must file electronic copies of their submissions by email. Paper copies must also be sent by U.S. mail, postmarked the day of the email. This includes all amended filings.

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).

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 4th day of January 2021, to:

Jody S. Kline, Attorney for Applicant
Charles Frederick, Esquire, Associate County Attorney
Department of Permitting Services Greg Nichols, Manager, SPES at DPS
Elza Hisel-McCoy, Planning Department
Stephanie Dickel, Planning Department
James Babb, Division Chief, Treasury Division
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 and Any Municipality within a half mile of the site.

Office of Zoning and Administrative Hearings

A handwritten signature in black ink, appearing to read 'L. Hannan', with a long horizontal line extending to the right.

Lynn Robeson Hannan
Hearing Examiner