

**OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS  
FOR  
MONTGOMERY COUNTY, MARYLAND**

**Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850  
(240) 777-6660/fax (240) 777-6665  
<http://www.montgomerycountymd.gov/ozah/>**

**LMA Case No. H-138**

**Application of Nachel Enterprises, LLC**

**ORDER RE-OPENING AND CLOSING THE RECORD**

On August 12, 2020, the Applicant, Nachel Enterprises, LLC, filed the above-captioned Local Map Amendment seeking to rezone a portion of the property located at 7212 Carroll Avenue, Takoma Park, Maryland, (also described as S. Carroll's Addition to Takoma Park) (Tax Accounts 13-01063775, 13-01063786, 13-01063797) from the NR 0.75 H-50 and R-60 Zones to the NRF 0.75 H-50 Zone.

A hearing was held on December 11, 2020, at which time new binding elements were suggested to limit development under the Floating Zone Plan. The Hearing Examiner left the record open until December 28, 2020, to receive a revised Floating Zone Plan (with the revised binding elements) to be submitted. The revised Floating Zone Plan (Exhibit 46(b)) was timely submitted, however, the Declaration of Covenants was not updated to include the amended binding elements.

On January 8, 2020 the Hearing Examiner contacted the Applicant about placing a set of Draft Covenants in the record containing the amended binding elements. Exhibit 47. She also asked for confirmation of the Tax Account Number of the subject property. Exhibit 48(c). Both were provided. Exhibits 48(a) and 48(d).

The Hearing Examiner hereby re-opens the record solely to receive her emails to the Applicant, the revised Declaration of Covenants, and this Order. The record closes immediately today, January 12, 2021.

So Ordered this 12<sup>th</sup> day of January 2021.



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Lynn Robeson Hannan  
Hearing Examiner

COPIES TO:

David Brown, Esquire  
Attorney for the Applicant  
Elza Hisel-McCoy, Planning Department