

**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. CU 24-01/ A-6817**

**APPLICATION OF DREAMY SKIES DOG RANCH AND TRAINING**

**NOTICE OF PUBLIC HEARING AND NOTICE OF MOTION TO AMEND**

**Public Hearing Notice**

Please take notice that the Office of Zoning and Administrative Hearings for Montgomery County, Maryland (OZAH), will hold a public hearing in the Stella B Werner Council Office Building , Second Floor Davidson Memorial Hearing Room, at 100 Maryland Avenue, Rockville, Maryland on **Friday November 3, 2023 at 9:30 a.m.**, or as soon thereafter as this matter can be heard, on an application for conditional use to operate an *Animal Boarding and Care* building under Section 59-3.5.1.B of the Zoning Ordinance.

The subject property is located at 26330 Mullinix Mill Rd, Mount Airy, MD in the AR zone (Tax Account Numbers 12-00938456, 12-01728641, 12-02826268, 12-01728652).

*OZAH staff work a hybrid schedule of remote and in office days.* You may review the application online at <https://montgomeryplanning.org/development> under the application number CU202401. 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 Nana Johnson at (240) 777-6663 or [nana.johnson@montgomerycountymd.gov](mailto:nana.johnson@montgomerycountymd.gov).

The Planning Board will hold a public meeting on the conditional use application prior to OZAH's public hearing. The date of the Planning Board's public meeting is listed on their agenda at <https://montgomeryplanningboard.org/agendas/>. You may check the agenda or contact Staff of the Planning Department at (301) 495-4610 to determine when the Board will conduct its meeting or to speak with Planning Staff.

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](mailto: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.

### **Motion to Amend**

On September 6, 2023, the Applicant's Attorney, Sean Hughes, Esquire, filed a request to amend the application:

The Applicant submitted the following revised document (Exhibit 27)

#### **1. Revised Statement of Justification**

A motion to amend an application requests permission only to revise portions of the application. Granting the motion merely allows the Applicant to make the requested changes to the application, but does not, in any way, approve the application itself. The Hearing Examiner will take the motion to amend the application under consideration for a period of ten days from the date of this notice, until **September 29, 2023, 2023**. Interested parties who object to the motion must do so, in writing, no later than **September 29, 2023**. If no objection is received by that time, the motion will be considered granted. Additional notification regarding the amendment will be provided only if an objection is received.

Notices forwarded this 19<sup>th</sup> day of September, 2023 to:

Sean P. Hughes, Esquire  
Attorney for the Applicant  
Barbara Jay, Executive Director  
Board of Appeals  
Patrick Butler, Planning Department  
Mark Beall, Planning Department  
Victor Salazar, Dept. of Permitting Services  
Washington Suburban Sanitary Commission  
Montgomery County Public Schools  
Abutting and Confronting Property Owners  
Civic, Renters' and Homeowners' Associations (including a condominium's Council of Unit Owners)  
Any Municipality within one-half mile of the property

Office of Zoning and Administrative Hearings



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Lynn Robeson Hannan  
Hearing Examiner