

**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 23-05

APPLICATION OF FREE REIN SOLAR FARM, LLC

NOTICE OF MOTION TO AMEND

The Applicant in the above-reference case seeks a conditional use to allow a *Solar Collection System* under section 59-3.7.2.B.2 of the Zoning Ordinance on property located at 5011 Riggs Rd, Gaithersburg, MD 20882 (Tax Acct No. 01-00004532). The subject property is zoned AR.

A public hearing via Microsoft Teams is scheduled for Friday, April 28, 2023 at 9:30 a.m. The public may join the hearing by clicking on the link “[Public Hearing Remote Access and Exhibits](#)” on OZAH’s website.

On March 28, 2023, the Applicant’s Attorney Soo Lee-Cho filed a request to amend the application by submitting revised plans (Exhibits 20-23).

1. Conditional Use Plan Set
 - a. Cover Sheet
 - b. Existing Conditions Plan
 - c. Conditional Use Site Plan (1 of 2)
 - d. Conditional Use Site Plan (2 of 2)
 - e. Site Details
 - f. Site Section and Elevations
 - g. Fire Department Access and Water Supply Approved Plan Set
2. Site Landscape Plan Set
 - a. Site Landscape Plan (1 of 2)
 - b. Site Landscape Plan (2 of 2)
 - c. Landscape Notes & Details (1 of 2)
 - d. Landscape Notes & Details (2 of 2)
3. Final Forest Conservation Plan Set
 - a. Cover Sheet
 - b. Overall Vicinity Map
 - c. Final FCP (1 of 3)
 - d. Final FCP (2 of 3)

- e. Final FCP (3 of 3)
 - f. Final FC Notes & Details (1 of 4)
 - g. Final FC Notes & Details (2 of 4)
 - h. Final FC Notes & Details (3 of 4)
 - i. Final FC Notes & Details (4 of 4)
 - j. Impervious Surface Exhibit
 - k. Tree Variance Justification
4. Stormwater Management Concept Plan Sets
- a. SWM Cover Sheet
 - b. SWM Existing Conditions (1 of 2)
 - c. SWM Existing Conditions (2 of 2)
 - d. SWM Existing Drainage Area Map
 - e. SWM Proposed Drainage Area Map
 - f. SWM Concept-Overall Plan
 - g. SWM Concept -Proposed Plan (1 of 2)
 - h. SWM Concept -Proposed Plan (2 of 2)
 - i. Micro-Bioretention Insets
 - j. SWM Computations & Details
 - k. SWM Details
 - l. SWM Landscape Plan
 - m. DPS SWM Concept Approval Letter

Copies of these plans may be viewed on the Montgomery County Development Activity Information Center (DAIC) website by searching for application number [CU202305](#). 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.

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 **April 13, 2023**. Interested parties who object to the motion must do so, in writing, no later than **April 13, 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 3rd day of April, 2023, to:

Michael Chapman, Applicant
Soo Lee-Cho, Esq., Applicant's Attorney
Mark Beall, MNCPPC
Patrick Butler, MNCPPC
Clifford L. Royalty, Esq, Chief, Division of Land Use & Economic Development
Department of Permitting Services Greg Nichols, Manager, SPES at DPS

James Babb, Division Chief, Treasury Division
Michael Coveyou, 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 and Any Municipality within a half mile of the site.

Office of Zoning and Administrative Hearings



Kathleen Byrne
Hearing Examiner