Application for Local Map Amendment to the Zoning Ordinance
Montgomery County, Maryland

Application No. H-115
Filed 6/1/16

3 Sons Avalon, LLC c/o Miller, Miller & Canby, 200-B Monroe Street, Rockville, MD 20850; (301) 762-5212

Name of Applicant or Contract Purchaser | Address | Tel. No.

hereby makes application with the County Council for Montgomery County, Maryland, sitting as a District Council for that portion of the Maryland-Washington Regional District within Montgomery County, for the reclassification of property located in the 2nd **Election District of Montgomery County and known as**

Lot, Block and Subdivision if boundaries conform to lot boundaries a subdivision for which a plat is recorded among the land records, or a description by metes, bounds, courses and distances, and plat references.

SEE ATTACHED EXHIBIT "A" - METES AND BOUNDS DESCRIPTION OF SUBJECT PROPERTY

located at 22821 AND 22901 Frederick Road, Clarksburg, Maryland 20871

City, town, village or community and street number, or if none, the location with respect to nearby public roads in common use.

consisting of 10.2753 acres

Area in square feet if less than 1 acre, or in acres if one or more

from the R-200 **Zone to the** Townhouse Floating (TF), in particular TF-5 **Zone**

Present classification | **Requested classification**

or the _____ **Zone. (Only one filing fee is collected per application. If an alternate zone is requested, the higher filing fee applies.)**

Alternative classification

Tax account number 02-00019087; 02-00019098; 02-00019076

Name and address of owner, if other than applicant SAME AS APPLICANT

List all persons having at least a 5% interest in property, including those holding mortgages, liens, etc., and all contract purchasers, optional purchasers and persons holding mortgages, etc.

James A. Soltesz, Kyle Soltesz, Kip Soltesz and James R. Soltesz

Listed below are the Application numbers and date of filing of, and action taken on all applications filed within 3 years prior to this date on any land lying anywhere within the same larger lot, parcel or tract of land in which the above-described land is located.

Application Number	Date	Action Taken
420130730	12/02/2014	Approved NRI-FSD

23(a)
H-115

If previous Local Map Amendment applications were filed for the subject property, the following limitations are specified in Zoning Ordinance §59-7.2.1.G:

G. Subsequent Actions

1. Filing of subsequent Local Map Amendment applications are limited as follows:
   a. Filing a Local Map Amendment application is prohibited for land that was in whole or in part the subject of a previous zoning application decided on its merits within the last 18 months.
   b. Filing a Local Map Amendment application is prohibited for land that was in whole or in part the subject of a previous zoning application for the same zoning classification filed within the last 36 months and decided on its merits.
   c. The time limitations in Section 7.2.1.G.1.a and Section 7.2.1.G.1.b do not apply when the previous application, which would bar the filing of a new application, was filed by a governmental agency not at the owner's request.
   d. The District Council may waive the time limitations in Section 7.2.1.G.1.a if an applicant submits a petition that shows substantial new facts that would warrant reapplication.

3 Sons Avalon, LLC

Signature of Applicant James A. Soltesz, Managing Member

Subscribed and sworn before me this 24 day of May, 20 16.

AMY STYERS NOTARY PUBLIC My Commission Expires 08-14-2019 MONTGOMERY COUNTY, MD

Notary Public

Payment of appropriate filing fee must accompany this application. See Fee Schedule. Twenty-five percent of the specified fee must be paid directly to the Planning Department when this application is submitted for review of completeness. The remaining 75 per cent of the specified fee and all sign fees must be paid directly to OZAH when the application is filed with OZAH after it has been certified by the Planning Department.. No part of such fee shall be refunded unless such refund and amount thereof as provided in Section 59-7.6.5. B of the Zoning Ordinance.

Applicant is required to post the property covered by this application within 5 days from acceptance of filing in accordance with Zoning Ordinance Section 7.5.2.C, with a sign to be furnished by the Office of Zoning and Administrative Hearings. An affidavit of posting, as required by the Zoning Ordinance, must be presented at the hearing on the application.

Under Zoning Ordinance §59-7.2.1.B.7, new public notice must be provided for any modification to an application requesting an increase in the area proposed to be reclassified or requesting a change to the zoning classification.

***Identification Plat** – Plat prepared by civil engineer, surveyor or other competent person, certified by him to be correct, showing by metes and bounds, courses and distances the land proposed to be reclassified, or if the boundaries conform to lot boundaries within a subdivision for which a plat is recorded in the land records of the County, then a copy of such plat, the land proposed to be reclassified appearing in a color distinctive from that of other land shown on the plat.

****Vicinity Map** – A map certified by the Maryland-National Capital Park and Planning Commission covering the area within 1000 feet of the boundaries of the land covered by this application showing the existing zoning classification of such land as it appears on the official zoning map in the office of the Department of Environmental Protection or the Maryland-National Capital Park and Planning Commission and all roads, streets, alleys, parks and other public or other governmental areas in public ownership or on public rights-of-way and those proposed on a plan adopted by the -National Capital Park and Planning Commission and all streams and railroad rights-of-way and the names thereof.

*****If the land proposed to be reclassified lies in whole or in part within an area covered by a sectional highway or zoning plan map adopted by the Commission, then a copy of such map shall be submitted.

The scale of the identification plat and vicinity map shall be noted thereon and shall be not less than 200 feet to the inch if the land proposed to be reclassified is of an area of ten acres or less; and not less than 400 feet to the inch if of an area of more than ten acres. A north direction arrow shall appear on such plat and map.