

**OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue, Room 200
Rockville, Maryland 20850**

**<http://www.montgomerycountymd.gov/ozah/index.html>
Phone: (240) 777-6660; Fax: (240) 777-6665**

CASE NO. CU-T-17-01 and CASE NO. S-596

**APPLICATION OF CELLCO PARTNERSHIPS d/b/a VERIZON WIRELESS
FOR A TELECOMMUNICATION TOWER CONDITIONAL USE & REQUEST OF
EAST GATE RECREATION ASSOCIATION, INC. FOR ADMINISTRATIVE
MODIFICATION OF ITS SPECIAL EXCEPTION**

NOTICE OF HEARING

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 18, at 9:30 a.m.**, or as soon thereafter as this matter can be heard, on the above-captioned application for a conditional use, pursuant to Section 59.3.5.2.C.2.b. of the Zoning Ordinance, to permit a telecommunication tower.

Because there is an existing special exception (S-596) on the site of the proposed conditional use, that special exception must be modified to allow the proposed conditional use on the site. The owner of the site, East Gate Recreation Association, Inc., has applied to the Board of Appeals for an administrative modification of its special exception to allow the telecommunication tower on the site, and the Board has referred the matter to OZAH for consideration in conjunction with the conditional use application CU-T 17-01. The two matters are therefore consolidated for the OZAH hearing noticed above, and OZAH will issue a report and recommendation to the Board of Appeals regarding the administrative modification request in S-596 at the same time as it issues its report and decision in CU-T 17-01.

The subject property, Parcel C of Block J, in the East Gate of Potomac Subdivision, is owned by East Gate Recreation Association, Inc. Application CU-T 17-01 seeks a conditional use permitting the erection and operation of an 80 foot tall Telecommunications Tower (with antennas extending to 83 feet), to be located on a leased area of the property in a 20 by 35 foot enclosure.

The entire file may be reviewed in the Office of Zoning and Administrative Hearings, Monday through Friday, between the hours of 9:00 a.m. and 4:00 p.m., prior to the date of the hearing.

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 Procedure.

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Filings must include an electronic copy of the statement and all attachments. These Rules may be found on OZAH's website at <http://www.montgomerycountymd.gov/ozah/>. 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.

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).

In addition to all other requirements, any party submitting documentary evidence for the record must file electronic copies of their submissions. Amended electronic copies must also be submitted of any amended documents. Electronic copies must be submitted on external storage media, including Compact Discs or DVDs, in Microsoft WORD format for text documents, and in PDF format for plans, photos and other non-text documents.

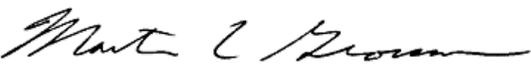
Nothing in this notice is intended to limit the rights of individual members of the public to testify during the hearing or to submit pertinent written materials at any time while the record remains open for that purpose.

If you need services to participate in a public hearing, please contact us as far in advance as possible by calling 240-777-6660 (TTY 240-777-7914) or emailing us at ozah@montgomerycountymd.gov. This document is available in alternative format such as large print upon request, via the same phone numbers and email address.

Notices forwarded this 13th day of October, 2016 to:

Cellco Partnerships, CU Applicant
East Gate Recreation Association, Inc.
Cathy G. Borten, Attorney for both Applicants
Charles Frederick, Esquire, Associate County Attorney
Diane Schwartz-Jones, Director, Department of Permitting Services
Barbara Jay, Executive Director, Board of Appeals
Gwen Wright, Director, Planning Department
Washington Suburban Sanitary Commission
State Highway Administration
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
Any Municipality within a half mile of the site

Office of Zoning and Administrative Hearings

By: 
Martin L. Grossman, Director
Office of Zoning and Administrative Hearings