

**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 18-07**

**APPLICATION OF CLARKSBURG ANIMAL HOSPITAL**

**NOTICE OF MOTION TO AMEND**

The above application seeks approval of a veterinary office/hospital under Sections 59-3.5.1.C. of the 2014 Zoning Ordinance. The property is located at 26221 Prescott Road, Clarksburg, MD 20871. It is further described as Lot 1, "Widow's Purchase" subdivision, in the AR (Agricultural Reserve) Zone.

This matter is scheduled for public hearing before the Hearing Examiner on **Tuesday, August 14, 2018**, in the 2<sup>nd</sup> Floor Hearing Room, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland, at 9:30 a.m., or as soon thereafter as this matter can be heard.

On July 17, 2018, Casey Cirner, attorney for the Applicant Clarksburg Animal Hospital, filed a Motion to Amend the application (Exhibit 51).

According to the Applicant, the amendments make the following changes:

**Conditional Use Plan**

The Conditional Use Plan (OZAH Exhibit 34) was revised to extend the septic trench within the proposed septic field by 250 feet. Pursuant to the Applicants' discussions with DPS and the water usage data provided by the Applicants to DPS, DPS determined that the appropriate commercial septic trench for the proposed use is 1,250 feet. Careful consideration was given to the septic trench redesign to avoid any encroachments into the existing Forest Conservation Easement on the Subject Property.

**Lighting Plan**

Sheet 1 of the Lighting Plan (OZAH Exhibits 32) was revised to extend the 0.00 footcandles from the Public utility easement to the property line of the Subject Property. No revisions were made to Sheet 2 of the Lighting Plan (OZAH Exhibit 32(a)), but a new copy of Sheet 2 was submitted to OZAH.

**Continued**

**Final Forest Conservation Plan ("FFCP")**

Sheet 1 of the FFCP (OZAH Exhibit 30) was revised as follows:

1. The 9 trees 24" in DBH and greater within 50 feet of the limits of disturbance ("LOD") and their respective critical root zones have been identified as trees 1-9 (the "Trees").
2. Root pruning and tree protection fence were identified on the FFCP as tree protection measures for the critical root zones of the Trees.
3. Silt and super silt fence, earth dike, mountable berms, and soil stockpile were added to the FFCP as erosion control devices.
4. The "Forest Conservation Easement" was added to clearly identify the reforestation areas within existing Forest Conservation Easement on the Subject Property.
5. 2 Red Maples were added as shade trees just north of the proposed driveway entrance for the Subject Property.
6. A table identifying the amendments to the Preliminary Plan Forest Conservation Plan for the Subject Property was added, along with the Developer's Certificate.

Sheet 2 of the FFCP (OZAH Exhibit 30(a)) was revised as follows:

1. Details for the silt and super silt fence, root pruning and tree protection fence.
2. Extensive notes were added regarding the planting procedures to be implemented within the reforestation areas of the Forest Conservation Easement.
3. An existing tree schedule was added for the Trees.
4. A table identifying the amendments to the Preliminary Plan Forest Conservation Plan for the Subject Property was added, along with the Developer's Certificate.

No changes were made to Sheet 3 of the FFCP (OZAH Exhibit 30 (b)), but a new copy of Sheet 3 was submitted to OZAH.

**Elevations**

The East/West Elevation and North/South Elevation (OZAH Exhibits 37 and 37(a)) were revised to show the relationship and orientation of the proposed building to the surrounding forest.

Extended View Elevations were also delivered to your office to show the relationship between the proposed building, the surrounding forest and topography, and the resulting natural buffer of the proposed building, on the Subject Property.

**Continued**

While not a revision to a plan previously filed in the record for the Conditional Use, also on July 2, 2018 a copy of the Second Floor Plan was submitted into the record. A Site Distance Survey for the Subject Property was also filed into the record for the Conditional Use.

A motion to amend an application requests permission only to revise 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 **Monday, July 30, 2018**. Interested parties who object to the motion must do so, in writing, no later than **Monday, July 30, 2018**. If no objection is received by that time, the motion will be considered granted.

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](mailto:ozah@montgomerycountymd.gov). This document is available in alternative format such as large print upon request, via the same phone numbers and email address.

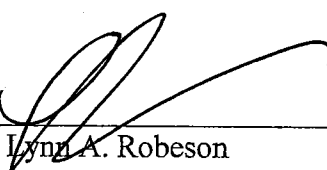
The entire file may be reviewed in the Office of Zoning and Administrative Hearings, Monday through Friday, between the hours of 9:00 a.m. and 4:00 p.m., prior to the date of the hearing.

Notices forwarded this 20th day of July, 2018, to:

Casey Cisner, Esquire  
Charles Frederick, Esquire, Associate County Attorney  
Diane Schwartz-Jones, Director, Department of Permitting Services  
Jamey Pratt, Planning Department  
Greg Nichols, Manager, SPES at DPS  
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:

  
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Lynn A. Robeson  
Hearing Examiner

