

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
for
MONTGOMERY COUNTY

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Rockville, Maryland 20850
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CONDITIONAL USE CASE NO.CU 19-04 and VARIANCE CASE NO. A-6576
APPLICATION OF FM GROUP, INC.d/b/a FRANCISCO LANDSCAPING

NOTICE OF SECOND MOTION TO AMEND APPLICATION

The subject application seeks a Conditional Use, pursuant to Section 59.3.5.5 of the Zoning Ordinance, to permit a *Landscape Contractor* use at 15400 Holly Grove Road, Silver Spring, MD, in the RE-2C Zone. The property is identified as Parcel P066, Snowden's Manor Subdivision (Tax Account Number 05-00278344). The application also seeks a Variance pursuant to Section 59.7.3.2 of the Zoning Ordinance.

Please take notice that on March 6, 2019, the Applicant filed a second motion (Exhibit 45) to amend this pending application to comply with comments made by the Montgomery County Planning Department. The amended plans include:

1. Conditional Use Plans (cover sheet)
2. Natural Resource Inventory & Forest Stand Delineation (L-01)
3. Natural Resource Inventory & Forest Stand Delineation (L-02)
4. Existing Conditions Plan (L-03)
5. Conditional Use Plan (L-1.1)
6. Fire Access & Circulation Plan (L-1.2)
7. Stormwater Management Concept Plan (L-2.1)
8. Stormwater Management Concept Plan (L-2.2)
9. Landscape Plan (L-3.1)
10. Lighting Plan (L-4.1)
11. Lighting Plan-Photometrics (L-4/2)
12. Preliminary/Final Forest Conservation Plan Notes & Details (L-5.1)
13. Preliminary/Final Forest Conservation Plan Notes & Details (L-5.2)
14. Preliminary/Final Forest Conservation Plan Notes & Details (L-5.3)

The amendments to the above-listed plans include the following changes:

Conditional Use Plan

- Proposed 45 parking spaces has been reduced to 30 spaces.
- Existing areas of pavement along the southern property line are now shown to be removed and restored.
- Existing asphalt millings beyond skid steer storage is now shown to be removed and restored.

Continued

- Percent impervious on the property has been reduced from 15.0 % (original submittal) to 13.2% (current submittal).

Fire Access and Circulation Plan

- Fire access has been reduced to front of existing cinder block building.

Landscape Plan

- Parking P2, canopy coverage and island coverage have been updated.
- Proposed canopy tree locations within parking P2 have been updated.

Overall Plans

- All plans have been updated to reflect conditional use changes.

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 March 22, 2019. Interested parties who object to the motion must do so, in writing, no later than March 22, 2019. 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.

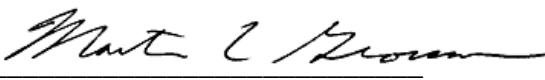
The entire file may be reviewed in the Office of Zoning and Administrative Hearings, Monday through Friday, between the hours of 9:00 a.m. and 4:00 p.m. prior to the date of the hearing.

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.

Notices forwarded this 12th day of March 2019 to:

FM Group Inc. d/b/a Francisco Landscaping, Applicant
Sean P. Hughes, Esq., Applicant's Counsel
Charles Frederick, Esquire, Associate County Attorney
Diane Schwartz-Jones, Director, Department of Permitting Services
Greg Nichols, Manager, SPES at DPS
Phillip Estes, Planning Department
Alexandre Espinosa, Director, Finance Department
Washington Suburban Sanitary Commission
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
Hearing Examiner