

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 20-05

APPLICATION OF SPECTRUM RETIREMENT COMMUNITIES, LLC.

**ORDER GRANTING REQUEST TO POSTPONE THE
PUBLIC HEARING AND NOTICE OF RESCHEDULED HEARING.**

On October 19, 2020, the Office of Zoning and Administrative Hearings (OZAH) received a request from the applicant to postpone the public hearing in this case from **Monday, November 2, 2020, at 9:30 a.m.**, to **Friday, January 15, 2021, at 9:30 a.m.** Exhibit 81. The application requests permission to operate a *Residential Care Facility* (over 16 persons) under Section 59-3.3.2.E of the Zoning Ordinance.

The subject property is located at 9545 River Road, Potomac, Maryland 20854, and is in the RE-2 zone (Tax Account Number 10-00855533).

All parties having consented to the request, the Hearing Examiner hereby **GRANTS** the request to postpone the public hearing.

PLEASE TAKE NOTICE that the public hearing in this case will be **rescheduled to January 15, 2021, at 9:30 a.m.**, or as soon as possible afterward.

Due to the COVID-19 pandemic, this hearing will be held remotely via Microsoft Teams. You do not need to sign up in advance to testify or view the hearing. You do not need a subscription to Microsoft Teams to join the hearing. Instructions to access the public hearing may be found on OZAH's website (above) under the link "Public Hearing Remote Access and Exhibits".

All exhibits filed in the case will be available to view via the same link on OZAH's website at least two days before the public hearing. Exhibits are removed the day after the public hearing so that staff can prepare for the next hearing. If you wish to download any of the exhibits, you should do so no later than 5:00 p.m. of the day of the public hearing.

OZAH is now operating remotely to the extent possible. You may review the application online at <https://montgomeryplanning.org/development> under the application number CU202005. 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. Those wishing to review the file in person *must* wear masks when entering OZAH's temporary office at 751 Twinbrook Parkway, Rockville, Maryland 20851.

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 for Zoning, Conditional Use and Board of Appeals Referral Cases (OZAH Rules). These Rules may be found on OZAH's website listed above (*See* OZAH's Amended Land Use Rules of Procedure). Filings must include an electronic copy of the statement and all attachments. 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.

If you need services to participate in a public hearing, please contact this Office no later than seven (7) days in advance of the public hearing by calling 240-777-6660 (TTY 240-777-7914) or emailing us at ozah@montgomerycountymd.gov. OZAH cannot guarantee that an interpreter can be made available if notified of the request less than seven (7) days in advance of the public hearing. This document is available in alternative format such as large print upon request, via the same phone numbers and email address.

So Ordered and Notices forwarded this 21st day of October, 2020, to:

Michael E. Longfellow, Applicant
Steven A. Robins, Esq, Applicant's Attorney
Elizabeth Rogers, Esq, Applicant's Attorney
David Brown, Esquire
Elsabett Tesfaye, MNCPPC
Charles Frederick, Esquire, Associate County Attorney
Department of Permitting Services Greg Nichols, Manager, SPES at DPS
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



Derek J. Baumgardner
Hearing Examiner