

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.

NOTICE OF PUBLIC HEARING

Please take notice that Office of Zoning and Administrative Hearings for Montgomery County, Maryland (OZAH), will hold a public hearing either at the Broome School (First Floor), 751 Twinbrook Parkway, Rockville, Maryland 20851 or remotely via Microsoft Teams on **Friday, July 17, 2020, at 9:30 a.m.**, or as soon thereafter as this matter can be heard, on an application for conditional use 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).

PLEASE NOTE: Due to the COVID-19 pandemic, this hearing may be held remotely via Microsoft Teams. Whether the hearing will be held remotely or in person will be announced on OZAH's website (above) at least two days before the public hearing. Instructions to access and participate in the public hearing may be found under the link "Public Hearing Remote Access and Exhibits" on OZAH's website. This link will include all exhibits filed in the case. You do not need a subscription to Microsoft Teams to participate.

OZAH is now operating remotely to the extent possible. You may review the application online at <https://montgomeryplanning.org/development> under the application number CU202003. If you have any questions about the file, please call Nana Johnson at (240) 777-6663 or email at nana.johnson@montgomerycountymd.gov.

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.

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. You may submit a signed letter to OZAH, which will be considered by the Hearing Examiner as part of the record but doing so will not automatically make you a party of record. Applicants and members of the public who testify at an OZAH hearing, whether for or against the application, are automatically considered parties of record. A person or organization that does not wish to appear at the OZAH hearing but wishes to be a party of record may request that status in a signed letter to OZAH. *See* OZAH Rule 3.1.

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.

Notices forwarded this 10th day of June, 2020, to:

Michael E. Longfellow, Applicant
Steven A. Robins, Esq, Applicant's Attorney
Elizabeth Rogers, Esq, Applicant's Attorney
Susanne Lee, WMCCA
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



by: _____
Lynn Robeson Hannan
Hearing Examiner