

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. CBA 2643, PETITION OF AUDUBON NATURALIST SOCIETY

ORDER REASSIGNING CASE AND NOTICE OF RESCHEDULED PUBLIC HEARING

This case is hereby reassigned to Hearing Examiner **Derek J. Baumgardner**.

On June 11, 2021, the Office of Zoning and Administrative Hearings (OZAH) received a request from the applicant to reschedule the public hearing in this case to **Monday, August 23, 2021, at 9:30 a.m.** Exhibit 45(a). The application requests permission for the Audubon Naturalist Society to create a disability accessible “Nature Play Space” for children.

The subject property is located at 8940 Jones Mill Road in Chevy Chase, Maryland and is in the R-90 zone (Tax Account Number 07-00416781).

At the request of the applicant, 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 XX 2021, at 9:30 a.m.**, or as soon as possible afterward.

Due to the COVID-19 pandemic, this hearing MAY be held remotely via Microsoft Teams or in the 2nd Floor hearing room located in the Council Office Building at 100 Maryland Avenue in Rockville, Maryland 20850. The hearing examiner will decide at a later date whether the hearing will be held remotely or in person. 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 Sara Behanna at (240)777-6661 or

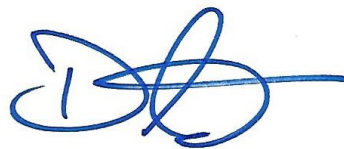
sara.behanna@montgomerycountymd.gov. Those wishing to review the file in person *must* wear masks when entering OZAH's temporary office at 751 Twinbrook Parkway, Rockville, Maryland 20851.

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.

IT IS SO ORDERED this 11th day of June, 2021.

Office of Zoning and Administrative Hearings



Derek J. Baumgardner
Hearing Examiner

OZAH is now operating remotely to the extent possible. You may review the application online at <https://montgomeryplanning.org/development> under the application number CBA2643. 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 Sara Behanna at (240) 777-6661 or by email to Sara.Behanna@montgomerycountymd.gov.

This application is governed by the 2004 Montgomery County Zoning Ordinance. A link to the 2004 Zoning Ordinance on line is: https://codelibrary.amlegal.com/codes/montgomerycounty/19d765ec-b313-4289-b6b6-4faf5d4c0cb2/montgomeryco_md_zone/0-0-0-49228.

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COPIES TO:

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Charles Frederick, Esquire, Associate County Attorney

Department of Permitting Services Greg Nichols, Manager, SPES at DPS

Elza Hisel-McCoy, Planning Department

Stephanie Dickel, Planning Department

James Babb, Division Chief, Treasury Division

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.