

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

APPLICATION NO. H-143 (LMA)

Application of EYA Development, LLC

**ORDER OF POSTPONEMENT**

On December 22, 2021, a request was filed to postpone the public hearing in this matter currently scheduled for **Monday, December 27, 2021**. On December 23, 2021, the Applicant filed an Opposition to the Motion for Continuance. Pursuant to OZAH Rule 4.8(c), upon a finding of extraordinary circumstances, the Hearing Examiner hereby **GRANTS** the request to postpone.

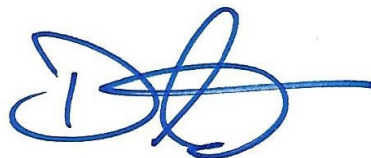
**NOTICE OF RESCHEDULED PUBLIC HEARING**

Please take notice that the Office of Zoning and Administrative Hearings for Montgomery County, Maryland (OZAH) will hold public hearings on **January 31, 2022, February 1, 2022, and February 2, 2022, at 9:30 a.m.**, or as soon thereafter as this matter can be heard, on the above Local Map Amendment application.

The Applicant, EYA Development, LLC and BL Strathmore, LLC, requests rezoning from the R-60 Zone to the CRNF-0.75, C-0.25, R-0.75, H-50 Zone. The subject property is located at 4910/4920 Strathmore Avenue, North Bethesda, Maryland 20853, also identified as Parcel N875 and N45 in the Garrett Park Subdivision (Tax Accounts 04-00045122 and 04-03234564).

So Ordered and Notices forwarded this 3<sup>rd</sup> Day of January, 2022.

Office of Zoning and Administrative Hearings



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Derek J. Baumgardner  
Hearing Examiner

**Exhibit 70**  
**H-143**

**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 must be received within 2 days of the hearing so they can be uploaded to the "Public Hearing Remote Access and Exhibits" webpage in advance of the hearing date. 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 H143. 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 at [sara.behanna@montgomerycountymd.gov](mailto:sara.behanna@montgomerycountymd.gov) to make an appointment to review the file.

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](mailto: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 to:

Erin Girard, Attorney for Applicant

Emily Tettelbaum, Montgomery County Park & Planning

Cliff Royalty, 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