



February 13, 2024

Lynn Robeson Hannan, Director

Montgomery County Office of Zoning and Administrative Hearings
Stella B. Werner Council Office Building
100 Maryland Avenue, Room 200
Rockville, MD 20850

Subject: Request for a Conditional Use for a Landscape Contractor, Service located at 2230 Spencerville Road, Spencerville

Dear Director Robeson Hannan:

At its regular meeting on February 1, 2024, the Montgomery County Planning Board reviewed Conditional Use Application CU202409, for a Landscape Contractor. The Applicant Jose Manuel “Manny” Polanco and Nancy Polanco, proposes to establish a Landscape Contractor on approximately 2.10 acres, located at 2230 Spencerville Road, RE-1 Zone, in the 1997 *Cloverly Master Plan*. The Conditional Use Plan shows the proposed Landscape Contractor and the associated parking, landscaping, and lighting.

In its staff report dated January 19, 2024, technical staff recommended approval of the Conditional Use with conditions. The Applicant recommended a revision to Condition No. 4 and Condition No. 6, and the Board agreed as follows:

4. The Landscape Contractor must not have more than 20 employees **on site per day**.
6. The hours of operation must be limited to 7:00 a.m. through 6:30 p.m. Monday through Friday. No hours of operations **outside of normal weekday hours of operation** or on the weekends unless for emergency tree removal because of storms or other similar events. The Applicant shall keep a log of emergency events, in case complaints are filed with the Department of Permitting Services.

With these revisions, the Planning Board concurred with the findings and recommendations of the staff report. The Planning Board agreed with staff’s conclusion that the use is consistent with the recommendations of the 1997 *Cloverly Master Plan*. The application satisfies all of the applicable requirements and regulations of the approval of a Conditional Use for a Landscape Contractor. The Applicant has also met the burden of proof by showing that operating the use at this location will not be a detriment to the neighborhood and will not adversely affect the public interest.

Lynn Robeson Hannan, Director
February 13, 2024
Page 2

On a motion by Vice Chair Pedoeem, seconded by Commissioner Bartley, and with Chair Harris, Commissioner Hedrick, and Commissioner Linden voting in favor of the motion, the Planning Board, by a vote of 5 to 0, recommended that the Hearing Examiner approve the Conditional Use with the conditions as discussed herein.

The Planning Board appreciates the opportunity to review this project and looks forward to working with your staff on subsequent reviews. If you have any questions, please contact Mark Beall at 301-495-1330 or mark.beall@montgomeryplanning.org.

Sincerely,

A handwritten signature in blue ink that reads "Artie L. Harris". The signature is written in a cursive style with a large initial "A".

Artie L. Harris
Chair