

Montgomery County Planning Department

Conditional Use Checklist

Applicant Information: American Lawn and Landscape, Inc. Jeffrey K. and SJ Juneau 6412 Damascus Road Gaithersburg, MD 20852		Conditional Use: Landscape Contractor 3.5.5	
Item	Description	I	S ¹
Application	Completed application includes: -Name and address of applicant ² , -Proposed Use, -Address, Lot & Block or Parcel No., -Size of property & the present zoning, -Applicant's Legal Interest Source: http://www.montgomerycountymd.gov/OZAH	M	C
Statement of the Case	A statement of how the proposed development satisfies the criteria to grant the application, which includes: -How the general and specific use standards and Necessary Findings will be met; spelled out in Section 7.3.1.E and Articles 59-3 and 6 of the new Zoning Ordinance, -Reference and showing consistency with the applicable Master Plan, -An explanation of how the proposed development is consistent with the requirements of any other approvals affecting the property ³ The Applicant's statement should also contain a summary of what the applicant expects to prove ⁴ , including the names of applicant's witnesses, summaries of the testimonies of expert witnesses, and the estimated time required for presentation of the applicant's case. Source: http://www.amlegal.com/nxt/gateway.dll?f=templates&fn=default.htm&vid=amlegal:montgomeryco_md_mc	M	C
Certified Copy of Zoning Map	Showing the area within at least 1,000 ft. surrounding the subject property. Needs certification stamp and property highlighted. Source: MNCPPC Information Counter	M	C
List of Owners of adjoining and confronting properties	Applicant should list owner names and addresses of adjoining and confronting properties as listed in the records of the Maryland State Department of Assessments and Taxation. If an adjoining or confronting property is a condominium, the applicant must provide the name and address of the Council of Unit Owners. Source: http://sdat.resiusa.org/RealProperty/Pages/default.aspx	M	C
Civic and homeowners associations	A list of any civic and homeowners associations within a ½ mile of the subject site. Source: http://www.montgomeryplanning.org/gis/interactive/hoaca.shtm	M	C
Traffic Statement or Study	Traffic Statement or Traffic Study for the proposed use indicating the number of weekday trips during peak hours (6:30-9:30 AM) and (4:00-7:00 PM). Statement should include: -Project planning area and policy area, -Current trip generated by current use, -Proposed use and proposed net change in trip. If proposed use will generate a significant number of weekday trips during peak hours, a Traffic Study Scope form may be necessary. Source: To read more visit http://www.montgomeryplanning.org/transportation/	M	C

Exhibit 2
 OZAH Case No: CU 24-10

¹ I= Intake check S=Staff check

² If the applicant is not the owner, there must be verification of authorization documents to support application.

³ Reference to existing approved cases should include zoning number, brief narrative, date of approval, and whether the use is operational or abandoned; if operational, how application will satisfy previous approvals and applicable requirements on property.

⁴ This summary cannot simply state the applicant will prove their case at the time of the hearing. The applicant needs to provide written justification as to how the proposed application meets the zone requirements and findings thereof.

Existing features	<p>A map showing:</p> <ul style="list-style-type: none"> -existing buildings and/or structures, including dimensions -sidewalks, driveways, pathways, and/or circulation routes & -significant natural features, historic resources & -zoning and legal descriptions on the proposed development site and within 500 ft. of the perimeter boundary. <p>All information on plan should be to scale and include scale.</p>	M	C
Utility Plans	Existing and proposed dry and wet utility plan if changes to these facilities are proposed.	N/A	
Description of Operational Features	A written description of operational features of the proposed use, including hours of operation, number of anticipated employees, occupants and clientele, equipment involved and any special conditions or limits which the applicant proposes.	M	C
Exterior Changes (if proposed)	<p>Plan depicting:</p> <ul style="list-style-type: none"> -Footprints, ground-floor layout, and heights of all buildings and structures; -Required open spaces and recreational amenities; -Layout of all sidewalks, trails, paths, roadways, parking, loading, and bicycle storage areas; -Rough grading; -Landscaping and lighting; -Supplementary documentation showing or describing how the application satisfies previous approvals and applicable requirements. <p>Plans completed by a licensed professional should be signed and certified.</p>	N/A	
Plans	<ul style="list-style-type: none"> -Approved NRI/FSD if required under Forest Conservation Law, Chapter 22-A; -Filed Forest Conservation Plan if required under Chapter 22-A, or an approved preliminary forest conservation plan; -Storm-water Management Concept or Water Quality Plan application if required under Chapter 19 (Flag: Patuxent or Hawlings PMA). <p>If applicable, applicants may be exempt from Chapter 22-A, in which case applicants need to obtain approval of an exemption from submitting a Forest Conservation plan prior to submitting an application.</p> <p>Source: http://www.montgomeryplanning.org/development/forms/Forest_Conservation_Exemption_Exception_for_Conditional_Uses.pdf</p>	M	C
Construction Phasing	Development program and inspection schedule detailing any construction phasing for the project.	N/A	
Specific Case: Telecommunication Tower	Must include an approved Forest Conservation Plan or a letter from the Planning Department confirming an FCP is not required under Chapter 22-A. Photos of the tower and site seen from areas with a direct view of the tower including a minimum of 3 directions.	N/A	
Specific Case: Day Care Facility	Day Care Facility, as defined by Section 59-3.44, should specify the number of children to be cared for, number of staff, and parking circulation.	N/A	
Specific Case: Accessory Apartment	DHCA Housing Response and Referral letter.	N/A	
Additional Exhibits	All additional exhibits which the applicant intends to include. Can be but not limited to, photographs of property, existing structures, abutting streets, etc.	M	C
Hard Copies	Once initially accepted by Planning Department: In addition to the four paper copies, applicants must include 2 electronic copies on a compact disc or DVD of all final materials above.		

Applicants please note, acceptance of your application does not constitute approval by the Planning Department. The Intake review determines if the application is complete, not the merits of the case.

Once the application is accepted, the review process can begin; furthering the cooperation and efforts between the applicant, Planning Staff, and the Hearing Examiner to come to a conclusion regarding the proposed use.

Transmittal – Area Team Staff Member:

M-NCPPC Use Only

Application Address: 6412 Damascus Road Gaithersburg, MD 20852

Evaluate application to determine if there are further items to be addressed before Intake can accept by 10/25/2023 and return to Mariah Clayborne.

Staff should acknowledge if:

- a pre-submission meeting is preferred on _____ (Date)
- a pre-submission meeting is unnecessary

Staff Comments (to be addressed):

By regulation of Chapter 59, Montgomery County Zoning Ordinance; the applicant must submit an initial application to the Planning Department for approval of completeness, the assessment of completeness must not address merits of the application.

Planning Department Intake staff acknowledges the applicant has submitted an initial application and is complete to be reviewed.

Completed By: *Mariah Clayborne*

Date: 10/30/2023