



March 31, 2026

**BY E-MAIL AND HAND DELIVERY**

Montgomery County Board of Appeals  
Stella Werner Council Office Building  
100 Maryland Avenue, Room 217  
Rockville, Maryland 20850

RE: Petition of DK Property Holdings LLC  
Special Exception Case Numbers CBA-2180, CBA-2180-A, and S-254  
Request for Administrative Modification to Conduct Property Maintenance/Clearing  
5011 Olney Laytonsville Road, Olney, Maryland 20832

Dear Members of the Board:

We are submitting this request on behalf of DK Property Holdings LLC, the owner of the property located at 5011 Olney Laytonsville Road, Olney, Maryland 20832 (the "Property"). The Property is located in the County's AR Zone, and the existing uses on the Property (horticultural nursery/commercial greenhouse/landscape contractor) operate pursuant to Special Exception approvals issued by the Board in Case Numbers CBA-2180, CBA-2180-A, and S-254.

The purpose of this letter is to advise the Board that the Property owner plans to conduct Property management/maintenance by reducing, clearing, and controlling vegetation/invasive species/and trees within the area identified on the attached plan in yellow highlighting. The Property owner proposes to clear various invasive trees, shrubs, understory, and five trees as shown on the plan. No forest or specimen trees are proposed to be removed. This clearing work will assist with Property management and maintenance going forward.

The Property owner will make sure to obtain all necessary MNCPPC and County DPS approvals prior to the work. This work does not impact the approved Landscape Plan on the Property and does not impact any operational characteristics of the Special Exception uses. The Property owner will continue to operate the Special Exception approvals in accordance with the existing approvals and conditions.

The nature, character, or intensity of the use and the operations at the Property will not change as a result of this administrative modification. Any proposed future changes to the Property or the Special Exception approvals will be handled by separate application.

We are enclosing the filing fee in the amount of \$756.25 and copies of the following materials in support of this request:

- Plan reflecting clearing area (in yellow highlighting).
- A list of adjoining and confronting property owners in list and label formats.

We would appreciate it if the Board could schedule this matter for its next available work session and grant this request administratively. If you have any questions, please do not hesitate to contact us at the number above.

Thank you very much in advance for your consideration of this request.

Very truly yours,

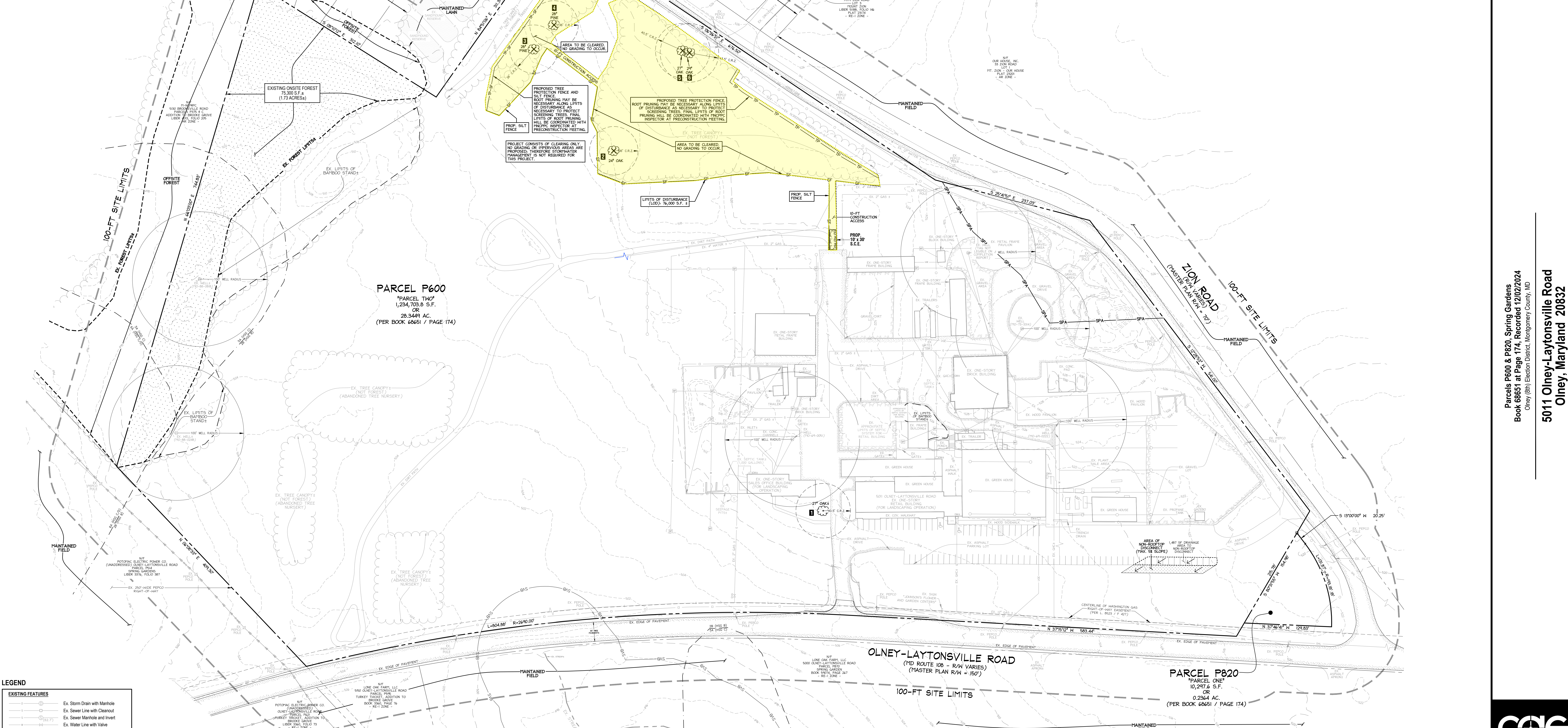


Stuart Barr

Attachments, as described

**GENERAL NOTES**

- Boundary information is based on an AIA survey performed by First Order, LLC, dated August 1, 2021.
- Two-foot contour data is based upon MNCPPC aerial topography, flown in 2020.
- Total lot area: Parcel P600 = 10,297.6 sq. ft. (0.2344 acres)  
 Parcel P820 = 1,234,703.8 sq. ft. (28.3449 acres)  
 TOTAL LOT AREA = 1,245,001.4 sq. ft. (28.5793 acres)
- Property is located on Tax Map HU122 and VSSC 200' Sheet Z27NW05.
- Property is located on Soil Survey Map Number 14.  
 Soil type(s): 2S, Glenville silt loam, HSG 'C'D'  
 SA, Glenville silt loam, HSG 'C'D'  
 6A, Bala silt loam, HSG 'C'D'
- Flood zone 'X' per F.E.M.A. Firm Maps, Community Panel Number 24031022150.
- Property is located in the Rock Creek Watershed, Use Class III.
- Water Category - 6, Sewer Category - 6
- Local utilities include:  
 Water - Veolia, Private Well and Septic  
 Electric - PEPCO  
 Telephone - Verizon  
 Gas - Washington Gas
- Portion of property is located in the Upper Rock Creek Special Protection Area.
- Property is not a Historic Site or located in a Historic District.



**LEGEND**

**EXISTING FEATURES**

- Ex. Storm Drain with Manhole
- Ex. Sewer Line with Cleanout
- Ex. Sewer Manhole and Inlet
- Ex. Water Line with Valve
- Ex. Gas Line with Valve
- Ex. Overhead Utility with Pole
- Ex. Drain Pipe and Inlet
- Ex. Underground Utility Line
- Ex. Two-And Two-foot Contours
- Ex. Chain Link or Wire Fence
- Ex. Wood or Stockade Fence
- Ex. Retaining Wall
- Ex. Soil Line with Soil Types
- Ex. Wall, With 100' Wall Radius
- Ex. Tree Line
- Ex. Forest Limits
- Ex. Bamboo Stand
- Ex. Stream
- 100' Stream Valley Buffer
- Ex. Significant Tree

**PROPOSED FEATURES**

- Limits of Disturbance (L.O.D.)
- Prop. Silt Fence
- Prop. Tree Protection Fence
- Prop. S.C.E.
- Prop. Stabilized Construction Entrance

**ENVIRONMENTAL DATA TABLE**

FEATURE	ACREAGE
Area of Steep Slopes	0 ac.
Forested Floodplain Area	0 ac.
Environmental Buffer Area	0.17 ac.
Total Forested Area	1.73 ac.
Forested Environmental Buffer	0 ac.
100-year Flood Plain	0 ac.
Wetlands	0 ac.
Forested Wetlands	0 ac.
Average Width of Environmental Buffer	0 ft.
Linear Extent of Stream	0 ft.

**SOILS TABLE**

TYPE	SOIL	HYDRIC	PRIME FARMLAND	HIGHLY ERODIBLE	SERPENTINE
2B	Glenville silt loam 3 to 8 percent slopes	No	Yes	No	No
5A	Glenville silt loam 0 to 3 percent slopes	Yes	No	No	No
6A	Bala silt loam 0 to 3 percent slopes	Yes	No	No	No

**NR175D NOTES**

- Owner Information: Dlx Property Holdings, LLC  
 Authorized Representative: David Duber  
 1001 Pennsylvania Ave. NW, Suite 220  
 Washington, DC 20004
- This site is located in the Rock Creek Watershed, Watershed use class III-P.
- This site is not located in the Potomac River Watershed Primary Management Area (P.M.A.).
- The site is located in the Upper Rock Creek Special Protection Area.
- A stream exists on the adjacent property to the southwest, the associated stream valley buffer extends onto the subject property.
- There are no floodplains or associated buffers located onsite per F.E.M.A. Firm Maps, Community Panel Number 24031022150. Subject property located in Flood Zone 'X'.
- There are no natural steep slopes (25% or greater) or slopes between 15% - 25% on highly erodible soils on site.
- There are no wetlands or their associated buffers located onsite per onsite observation.
- No rare, threatened, or endangered (R.T.E.) species were observed during our site analysis. A letter has been received from the Maryland Department of Natural Resources and it confirmed there are no R.T.E. species.
- No cultural or historic features exist onsite based on available records, onsite observation, and the use of the MNCPPC on-locator system.
- Forest exists on site, as indicated on this plan.
- There are no state and/or county champion trees or trees 275% of the current state and/or county champion located on this site.
- NR175D analysis for this project was conducted 01/19/2026 by CAS Engineering.
- Tree diameter measurements were obtained utilizing a tree diameter tape.
- Subject property is located in the AR zone at the time of plan preparation.
- The location of off-site forest, wetlands, improvements, and other structures beyond the subject property's plat/boundary lines (extent of topographic survey) are approximate. Off-site features are shown per available MNCPPC topographic records and are provided for illustrative purposes only.

**TREE INVENTORY TABLE**

TREE NO.	COMMON NAME	SPECIES NAME	DBH (IN)	COND.	CRZ/N	DATE
1	White Oak	Quercus Alba	27	Good	0%	NVS
2	White Oak	Quercus Alba	24	Good	90%	TBR
3	White Pine	Pinus Strobus	37	Good	70%	TBR
4	White Pine	Pinus Strobus	24	Good	78%	TBR
5	White Oak	Quercus Alba	27	Good	75%	TBR
6	White Oak	Quercus Alba	29	Good	78%	TBR

**NARRATIVE STATEMENT AND EXEMPTION REQUEST**

There are no wetlands or their associated buffers located onsite per onsite observation.

No rare, threatened, or endangered (R.T.E.) species were observed during our site analysis. A letter has been received from the Maryland Department of Natural Resources and it confirmed there are no R.T.E. species.

No cultural or historic features exist onsite based on available records, onsite observation, and the use of the MNCPPC on-locator system.

Forest exists on site, as indicated on this plan.

There are no state and/or county champion trees or trees 275% of the current state and/or county champion located on this site.

NR175D analysis for this project was conducted 01/19/2026 by CAS Engineering.

Tree diameter measurements were obtained utilizing a tree diameter tape.

Subject property is located in the AR zone at the time of plan preparation.

The location of off-site forest, wetlands, improvements, and other structures beyond the subject property's plat/boundary lines (extent of topographic survey) are approximate. Off-site features are shown per available MNCPPC topographic records and are provided for illustrative purposes only.

Pursuant to the requirements outlined above, an exemption from the forest conservation law is hereby requested.

**A COPY OF THE APPROVED PLAN MUST BE MAINTAINED AT THE SITE THROUGHOUT THE DURATION OF THE PROJECT.**

**OWNER/APPLICANT**  
 Dlx Property Holdings, LLC  
 Attn: David M. Duber  
 1001 Pennsylvania Ave NW, Suite 220  
 Washington, DC 20004  
 (202) 930-7070  
 duber@dlx-dc.com

**5011 Olney-Laytonsville Road  
 Parcels P600 & P820, Spring Gardens  
 Simplified Natural Resources Inventory  
 and Forest Conservation Exemption Plan  
 M-NCP&PC No.: 42026182E**

**QUALIFIED PROFESSIONAL CERTIFICATION:**  
 I hereby certify that these documents were prepared in accordance with Maryland state and Montgomery County Forest Conservation Laws and MNCPPC Guidelines. (DATE: 03/20/26) 08:19:05 (E)

*James A. Robertson*  
 JAMES A. ROBERTSON  
 03/19/2026

**DISCLAIMER:** These are living things whose livability and structural integrity are subject to a wide array of natural forces and impacts. Among those impacts are genetics, climate, weather, water, nutrient, soil, insects, and disease. As such, trees are subject to changes in health or condition very slowly over time or very abruptly. I do not take liability for these actions or other factors upon the health or structure of the trees involved in this document. This plan should not be interpreted as a tree hazard evaluation as intended, structural, or aerial inspections were not performed on or upon these trees. Conditions and measurements may exist out of sight from the human eye.

**PARCELS P600 & P820, Spring Gardens  
 Book 68651 at Page 174, Recorded 12/02/2024  
 Olney (8th) Election District, Montgomery County, MD**

**5011 Olney-Laytonsville Road  
 Olney, Maryland 20832**

**CAS ENGINEERING**

CAS ENGINEERING-MD  
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 Washington, DC 20007  
 202-353-7200  
 info@cas-dc.com  
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SCALE: 1" INCH = 40 FEET

**SHEET TITLE:**  
 Simplified NR175D and Forest Conservation Exemption Plan

**1 OF 2**