

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
for
MONTGOMERY COUNTY

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CASE NO. CU 18-08

APPLICATION OF PRIMROSE SCHOOL

NOTICE OF HEARING

The Office of Zoning and Administrative Hearings (OZAH) previously held a public hearing in the above-captioned application for a conditional use to operate a *Day Care Center (Over 30 Persons)* under Section 59.3.4.4.F of the Zoning Ordinance on November 22, 2019 and March 5, 6, 9 and 10, 2020. The public hearing was continued indefinitely due to the COVID-19 pandemic. The subject property is Lot 8, Block A of the Derwood Heights Subdivision located at 7430 Needwood Road, Rockville, MD in the RE-1 Zone (Tax Account Number 04-00050664).

Please take notice that OZAH will resume the public hearing on **Friday, March 19, 2021, at 9:30 a.m.**, or as soon thereafter as this matter can be heard, on the above-captioned application for Conditional Use, pursuant to Section 59.3.4.4.F of the Zoning Ordinance, to permit a *Day Care Center (over 30 persons)*.

PLEASE NOTE: Due to the continuing 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 under the link “Public Hearing Remote Access and Exhibits” and the Hearing Calendar on OZAH’s website at least two days before the public hearing.

Relevant exhibits filed in the case will be available to view via the link “Public Hearing Remote Access and Exhibits” 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.

Anyone wishing to review the entire file before it is posted on the website should make an appointment to do so with Nana Johnson of OZAH staff at (240) 777-6663, as OZAH is not presently open to the public. The exhibit list for this case is published on OZAH’s website under “Record Updates”. Anyone wishing individual exhibits may request them from Ms. Johnson.

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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 (Rules). Filings must include an electronic copy of the statement and all attachments. These Rules may be found on OZAH's website listed above. 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.

In compliance with Maryland requirements regarding the practice of law, groups or associations must have counsel unless their witnesses are members of the group or association who will offer testimony in narrative form (*i.e.*, there is no need for an attorney to conduct a direct examination).

In addition to all other requirements, any party submitting documentary evidence for the record must file electronic copies of their submissions. Electronic copies must be submitted on external storage media or by email in Microsoft WORD format for text documents and in PDF format for plans, photos and other non-text documents.

Nothing in this notice is intended to limit the rights of individual members of the public to testify during the hearing or to submit pertinent written materials at any time while the record remains open for that purpose. You may submit a signed letter to OZAH, which will be considered by the Hearing Examiner as part of the record but doing so will not automatically make you a party of record. Applicants and members of the public who testify at an OZAH hearing, whether for or against the application, are automatically considered parties of record. A person or organization that does not wish to appear at the OZAH hearing but wishes to be a party of record may request that status in a signed letter to OZAH. *See* OZAH Rule 3.1.

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.

Notices forwarded this 8th day of February 2021, to:

Matthew Taylor, Applicant
Jody S. Kline, Esq., Applicant's Counsel
Srikanth and Himabindu Mandava, Property Owners
William J. Chen, Esq.
Charles Frederick, Esquire, Associate County Attorney
Hadi Mansouri, Acting Director, Department of Permitting Services
Greg Nichols, Manager, SPES at DPS
Elsabett Tesfaye, Planning Department
Michael Coveyou, Director, Finance Department
Washington Suburban Sanitary Commission
Parties of Record

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OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS



By: _____
Lynn Robeson Hannan
Hearing Examiner