

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

CASE NO. S-686-D

PETITION TO MODIFY SPECIAL EXCEPTION FOR  
THE LANDON SCHOOL  
&  
NOTICE OF PUBLIC HEARING

On November 4, 2020, the Board of Appeals referred the above captioned matter to the Office of Zoning and Administrative Hearings (OZAH) for a major amendment to a special exception for a private educational institution pursuant to Section 59-G-1.3(c) of the 2004 Zoning Ordinance. The subject property is located at 6101 Wilson Lane in Bethesda, Maryland 20817, and is further described as Parcel N618, Subdivision 0001 (Tax Account 07-03263726). The property is zoned R-90.

On June 18, 2021, the Applicant, Landon School Corp. ("Applicant" or "Landon"), filed a **Motion to Amend** the application, summarized by the Applicant as follows:

*After Landon School submitted the original Application, school leadership determined that the Phase 0 portion of the Application (fence and welcome center) should move forward immediately to address campus security concerns. As a result, Landon requests the removal of Phase 0 from the Application so that it may be pursued as a minor modification of the current Special Exception pursuant to Section 59-G-1.3(c) of the Prior Zoning Ordinance.*

In support of the Motion to Amend the application, the applicant submitted the following documents (Exhibits 48 through 49(b)):

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Please take notice that OZAH will hold a public hearing on this matter on **Monday, August 2, 2021 at 9:30 a.m.**, or as soon thereafter as this matter can be heard, on the above petition for a major modification to a special exception for a private educational institution. A Resolution from the Board of Appeals, effective November 4, 2020, referred this petition to OZAH for a public hearing and written recommendation.

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&  
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Derek J. Baumgardner  
Hearing Examiner



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

CASE NO. S-686-D

PETITION TO MODIFY SPECIAL EXCEPTION FOR  
THE LANDON SCHOOL  
&  
NOTICE OF PUBLIC HEARING

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&  
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Derek J. Baumgardner  
Hearing Examiner



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

CASE NO. S-686-D

PETITION TO MODIFY SPECIAL EXCEPTION FOR  
THE LANDON SCHOOL  
&  
NOTICE OF PUBLIC HEARING

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&  
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Derek J. Baumgardner  
Hearing Examiner



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

CASE NO. S-686-D

PETITION TO MODIFY SPECIAL EXCEPTION FOR  
THE LANDON SCHOOL  
&  
NOTICE OF PUBLIC HEARING

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&  
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Michael Coveyou, Director, Finance Department

Parties of Record

Abutting and Confronting Property Owners  
(or a condominium's council of unit owners or renters, if applicable)

Civic, Renter's and Homeowners' Associations within a half mile of the site and any  
Municipality within a half mile of the site

Office of Zoning and Administrative Hearings

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Derek J. Baumgardner  
Hearing Examiner



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

CASE NO. S-686-D

PETITION TO MODIFY SPECIAL EXCEPTION FOR  
THE LANDON SCHOOL  
&  
NOTICE OF PUBLIC HEARING

On November 4, 2020, the Board of Appeals referred the above captioned matter to the Office of Zoning and Administrative Hearings (OZAH) for a major amendment to a special exception for a private educational institution pursuant to Section 59-G-1.3(c) of the 2004 Zoning Ordinance. The subject property is located at 6101 Wilson Lane in Bethesda, Maryland 20817, and is further described as Parcel N618, Subdivision 0001 (Tax Account 07-03263726). The property is zoned R-90.

On June 18, 2021, the Applicant, Landon School Corp. (“Applicant” or “Landon”), filed a **Motion to Amend** the application, summarized by the Applicant as follows:

*After Landon School submitted the original Application, school leadership determined that the Phase 0 portion of the Application (fence and welcome center) should move forward immediately to address campus security concerns. As a result, Landon requests the removal of Phase 0 from the Application so that it may be pursued as a minor modification of the current Special Exception pursuant to Section 59-G-1.3(c) of the Prior Zoning Ordinance.*

In support of the Motion to Amend the application, the applicant submitted the following documents (Exhibits 48 through 49(b)):

1. Request from Patrick O’Neil to amend the application
2. Phasing Plan (Site Plan) – Phase 0
3. Phasing Plan – Phase 1
4. Phasing Plan – Phase 2/Buildout

A Motion to Amend an application requests permission only for the applicant to revise portions of the application. Granting the motion merely allows the Applicant to make the requested changes to the application but does not, in any way, approve the application itself. The Hearing Examiner will take the motion to amend the application under consideration for a period of 10 business days or until **July 14, 2021**. **Interested parties who wish to object must do so before July 14, 2021**. If no objections are received by that time, the motion will be considered granted. Additional notification about the amendment will be provided only if an objection is received.

Please take notice that OZAH will hold a public hearing on this matter on **Monday, August 2, 2021 at 9:30 a.m.**, or as soon thereafter as this matter can be heard, on the above petition for a major modification to a special exception for a private educational institution. A Resolution from the Board of Appeals, effective November 4, 2020, referred this petition to OZAH for a public hearing and written recommendation.

**PLEASE NOTE: 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 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.**

**All 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.**

*OZAH is now operating remotely to the extent possible.* You may review the application online at <https://montgomeryplanning.org/development> under the application number S862C. If you wish to review the full file (all submissions in the case) before it is published on the website or have other questions, please contact Sara Behanna at (240) 777-6661 or [sara.behanna@montgomerycountymd.gov](mailto:sara.behanna@montgomerycountymd.gov).

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 OZAH’s Amended Land Use Rules of Procedure. 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. Deadlines for any submissions are close of business (5:00 p.m.) on the date due. If the County is not open on the date due, the deadline is 5:00 p.m. on the next business day.

Any party submitting documentary evidence for the record must file electronic copies of their submissions by email. Paper copies must also be sent by U.S. mail, postmarked the day of the email. This includes all amended filings.

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).

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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 this **2<sup>nd</sup> day of July, 2021** to:

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Katherine Mencarini, MNCPPC

Matthew Folden, MNCPPC

Charles Frederick, Esquire, Associate County Attorney

Department of Permitting Services, Greg Nichols, Manager, SPES at DPS

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