

**OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
for
MONTGOMERY COUNTY**

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CASE NO. CU 16-11 – GARRETT GATEWAY PARTNERS, LLC,

**ORDER IN RESPONSE TO
FOLLOW-UP SHOW CAUSE HEARING ON NOVEMBER 21, 2025**

Pursuant to the Show Cause Order dated November 10, 2025, the Hearing Examiner held a remote status hearing on November 21, 2025, at 9:30 a.m. The parties participated remotely.

Attendees included Dean Packard, on behalf of Garrett Gateway Partners; Josh Kaye, on behalf of the Montgomery County Planning Department, and Greg Nichols, on behalf of DPS. In an email before the hearing, Mr. Packard submitted an email dated November 19, 2025, updating the status of the work as follows:

We have completed the previous sidewalk area next to Lot 14, including concrete curbing, sand, and a stone base.

We have completed the concrete curbing pour for half of the playground area.

We have graded out the area around the playground area ready for seed and straw.

Today, we will begin to move the previous pavers from the storage lot across the street to the areas completed with concrete curbing. The workers will begin to lay the concrete pavers.

The workers will also be finishing the concrete curbing pour around the playground this week.

Everything is set to begin forming up the curb and gutter for the second entrance. Materials are being purchased today, and work will begin setting the forms for pouring the curb and gutter from the furthest point away from Garrett Road, forward. As the forms begin to be set, the DPS right-of-way inspector will be updated again as to the progress so that inspections can occur in the right-of-way.

At the hearing, Mr. Packard estimated that work on the right-of-way could be completed by the end of January 2026, other factors such as weather permitting. He submitted pictures depicting the site described in his email of November 19th and an updated Site Cost Work to Finish Project. He testified that he believes he has found the cause of the streetlights turning on and off and has resolved that issue.

Mr. Kaye confirmed the site improvements described by Mr. Packard after a site visit. He also submitted pictures of the areas where work was performed.

The Hearing Examiner scheduled the next hearing *at the subject property* so that she could better familiarize herself with the existing conditions. She instructed the community members not to speak with her during the site visit, and she would place a summary of the visit on the record at the next show cause hearing after visiting the site (per OZAH Rule 4.2(i)(v)). Parties will have an opportunity to respond to the Hearing Examiner's summary.

Based on the statements made on November 21, 2025, the Hearing Examiner **ORDERS** as follows:

1. That, DPS and Planning continue to monitor the status of the bonds held by each agency to complete the work required at "Cashell Estates" to bring the subject property into compliance with CU 16-11 Garrett Gateway Partners, LLC; and further
2. That Dean Packard continues to send weekly updates of progress to the County's bonding agent and copy Linda Kobylski on each email; and further
3. That Dean Packard submit to the Hearing Examiner and representatives of DPS and Planning an **updated** "Site Cost Work to Finish Project" including detailing the work related to the two open violations with sediment control and right of ways by the close of business every **Monday** until the terms of the conditional use are completed; and further

4. That, no work shall begin on the subject property by any contractor without either that contractor or Mr. Packard first notifying and scheduling the work with DPS and Planning; and further
5. That, Mr. Packard shall notify the community members no later than 48 hours before the start of any construction on the subject property; and further
6. That, any applications or pending approvals related to development, construction, permits, work, etc. on Phase II of this “Design for Life” project with either Planning or DPS shall halt until the Hearing Examiner determines that the terms of CU 16-11 and the related Preliminary Plan are satisfied, and further
7. That Dean Packard, on behalf of Garrett Gateway Partners, LLC, and representatives of DPS and Planning appear **before the Hearing Examiner at the subject property on Friday, December 5, 2025, at 11:00 am** so that she may view the site and current conditions.

It is so ORDERED, this 26th day of November 2025.



Lynn Robeson Hannan
Hearing Examiner

Copies sent via email to:

Dean Packard for Garrett Gateway Partners, LLC
Barbara Jay, Executive Director
Montgomery County Board of Appeals
Robert Kronenberg, Deputy Director, Planning
Mark Beall, Planning
Patrick Butler, Planning
Josh Kaye, Planning
Ehsan Motazedi, Division Chief, Zoning & Site Plan Enforcement, DPS

Greg Nichols, Manager, SPES, Zoning & Site Plan Enforcement, DPS

Victor Salazar, Program Manager II, Zoning & Site Plan Enforcement, DPS

Elana Robinson, Assistant County Attorney, Office of the County Attorney

Community members present on 7/12/24, 10/17/24, 11/20/24, 12/19/24,

1/23/25, 2/27/25, 3/13/25, 4/10/25, 5/14/25, 6/11/25, 8/13/25, 8/25/25, 9/16/25, 10/1/25,

10/15/25, 10/29/25, 11/7/25, and 11/21/25.