

**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-2385- ADMINISTRATIVE MODIFICATION

APPLICATION OF THE OLNEY BOYS AND GIRLS CLUB

**NOTICE OF PREHEARING CONFERENCE
AND PUBLIC HEARING AND NOTICE**

Please take notice that the Office of Zoning and Administrative Hearings for Montgomery County, Maryland (OZAH), will hold a public pre-hearing conference **VIRTUALLY** via Microsoft Teams on **Wednesday, January 15, 2025 at 9:30 a.m.** to identify the individuals participating in the public hearing as parties and to establish an order for testimony, cross-examination and evidence presented during the public hearing on the application for an administrative modification to the existing special exception S-2385, filed by the Olney Boys and Girls Club. All parties or counsel for the parties planning to participate during the public hearing on the merits must participate in the prehearing conference by clicking the link titled “Public Hearing Remote Access and Exhibits” on OZAH’s website, selecting S-2385 Olney Boys & Girls Club Pre-hearing Conference and further selecting Microsoft Teams “join the meeting now” link at the date and time identified above.

Additionally, please take notice that OZAH will hold a public hearing in **HYBRID** format on **Thursday, February 11, 2025 at 9:30 a.m.**, or as soon thereafter as this matter can be heard, on an application for an administrative modification to the existing special exception S-2385, filed by the Olney Boys and Girls Club. The administrative modification request contains the following administrative changes to the Special Exception:

1. Confirm placement of existing fundraising structures approved by M-NCPPC and used the past 22 years for fundraising purposes.
2. Clarify the conditions for approval of the Special Exception to include “fundraising” as approved use.

The property is located at 4501 Olney-Laytonsville Road, Olney, Maryland 20832, also known as Lot 5 of the Brooke Farm Subdivision in the AR Zone (Tax Account 08-03087577).

Those wishing to attend the public hearing **in person** should go to the Stella B Werner Council Office Building, Second Floor Davidson Memorial Hearing Room, at 100 Maryland Avenue, Rockville, Maryland 20850. Those wishing to attend **virtually** may click on the link titled “Public Hearing Remote Access and Exhibits” on OZAH’s website. Remote participation will be via Zoom. The same link also includes OZAH’s procedures and instructions participating by Zoom. You do not need to sign up in advance to testify or view the hearing but should access the meeting

link at least one-half hour in advance so the moderator may check you in. Pre-filed exhibits can be viewed by clicking on the case number.

The following procedures in addition to [OZAH's Land Use Rules of Procedure](#) (on its website) govern hybrid hearings:

- Any party submitting documentary evidence for the record must file electronic copies of their submissions **by email (ozah@montgomerycountymd.gov)**, **at least two business days prior to the public hearing**. County security policy **prohibits OZAH from accepting electronic documents via thumb drives or other external devices**. In addition to electronic copies, paper copies **must also be sent by U.S. mail**, postmarked the day of the email.
- Anyone that wishes to testify **must have a camera enabled on their device**. You may not be able to testify if you do not have a camera or are not in person.
- If you need accessibility or disability 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.

OZAH staff work a hybrid schedule of remote and in office days. You may review the file and current exhibits on OZAH's website at <https://cmsinternet.mcgov.org/OZAH/Hearings/S-2385.html>. If you wish to review a hard copy of the file or have other questions, please contact OZAH at (240) 777-6660 or ozah@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 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 appear in their individual capacity.

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 30th day of December, 2024 to:

Stuart Barr and Peter Ciferri, Applicant's Attorneys
Barbara Jay, Board of Appeals
Clifford Royalty, Esquire, Office of the County Attorney
Department of Permitting Services Greg Nichols, Manager, SPES at DPS
Michael Coveyou, Director, Finance Department
Abutting and Confronting Property Owners
(or a condominium's council of unit owners or renters, if applicable) Civic, Renters' 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



Kathleen Byrne
Hearing Examiner