

**OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
FOR MONTGOMERY COUNTY, MARYLAND
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BOA CASE NO. CBA 1174-E

**APPLICATION FOR MAJOR AMENDMENT TO SPECIAL EXCEPTION
HOLTON ARMS SCHOOL**

ORDER REVISING SCHEDULE FOR PRE-HEARING SUBMISSIONS

I. Factual Background

A hearing in the above-captioned case was held on November 17, 2025, but was continued to April 7 through 10, 2026 to require the Applicant to submit revised plans and other supplemental information. At the hearing, dates were set for submission of new and modified plans and supplemental information. T. 56, 69.

On February 18, 2026, the Bradley Boulevard Citizens Association and Vivian Riefberg (Opposition) filed a Motion to Compel production of the revised plans and supplemental information, alleging that the Applicant should have submitted these on February 16, 2026. Exhibit 55. The Applicant filed a response to the motion on February 20, 2026, alleging that these were not due until March 6, 2026, relying in part on communications outside of the record. Exhibit 66. The response included a description of the revised plans and supplemental information to be provided. *Id.*

The Motion to Compel contained two alternative orders. Exhibit 55. One called for the scheduled hearing to be cancelled and a hearing on the Motion to Compel to be scheduled for April 7, 2026. The alternative order called for the Applicant to file the revised plans by March 2, 2026, submit a pre-hearing statement no later than March 7, 2026, and permit the Opposition to file its pre-hearing statement on April 1, 2026. *Id.* The Applicant's response proposed an alternative schedule of submitting plans no later than March 2, 2026 and its pre-hearing statement on March 7, 2026. It also proposed that the Opposition's pre-hearing statements be due no later than March 23, 2026. *Id.*

The Hearing Examiner referred the proposed timelines to Staff for a recommendation on whether Staff could complete its review of the plans within these time frames and submit a Staff Report by March 26, 2026 (the time mandated by the Zoning Ordinance.) Exhibit 64. Staff confirmed that they could review certain revised plans but would not complete its review of the Forest Conservation Plan within that time. Exhibit 69.

Ultimately, Holton Arms agreed to submit all plans and a revised Statement of Justification on March 2, 2026 at 11:59 p.m. Exhibit 68. The Opposition now opposes any alternatives for submission of materials, alleging that the first application was a “total failure” to comply with the requirements of the Zoning Ordinance. Exhibit 71.

While the Hearing Examiner also understood that Holton Arms was to have submitted revised plans and supplemental information by February 13, 2026, she disagrees with the Opposition’s contention that the application was a complete failure to comply with the Zoning Ordinance as it the hearing was postponed to allow the Applicant to submit specific information. Given Staff’s response that it can review the application within the mandatory time frames prior to the April 7, 2026 hearing, the Hearing Examiner revises the pre-submission deadlines as set forth below but does not change the hearing date.

II. Order

Pre-submission documents and submission requirements in the above captioned case will be submitted as follows:

1. The Applicant must submit all plans and a revised Statement of Justification to OZAH and Planning Staff no later than **March 3, 2026, at 10:00 a.m.**
2. All pre-hearing submissions filed by those in opposition must be filed no later than **March 23, 2026.**
3. The public hearing will remain as previously scheduled commencing on April 7, 2026, and days continuing thereafter.
4. The Applicant’s submission must include the conceptual forest conservation plan referred to in its responses.
5. The deadlines stated herein and the hearing dates are subject to revision upon review of the plans and information.

So Ordered this 25th day of February, 2026.



Lynn Robeson Hannan
Hearing Examiner

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