

January 24, 2024

Montgomery County Planning Department
To Whom It May Concern
2425 Reddie Drive, 14th Floor
Wheaton, Maryland 20902

Re: Proposed Application for Conditional Use – Landscape Contractor
Parcel 420
14301 Comus Road – Clarksburg, MD 20871 (“Subject Property”)

Dear Sir or Madam:

Please find enclosed a Conditional Use application for a Landscape Contractor for the Subject Property (“Application”), filed on behalf of Mr. Torcato Romano (the “Applicant”). The Application is prepared in accordance with the requirements set forth in the *OZAH Checklist for Conditional Use (Formerly “Special Exception”) Applications Filed After 10/29/14 (the “OZAH Checklist”)*, the Montgomery County Planning Department Conditional Use Checklist (the “Planning Checklist”) and all applicable sections of the Zoning Code. Prior to the construction as shown hereon, the subject property is expected to go through the Subdivision and Recordation Process to create a Record Lot. O’C&L has shown anticipated ROW dedication on the development drawings.

Not every document listed on the OZAH Checklist is required in support of this Application, and where not included we confirm that the listed submission is “intentionally omitted” and the provide the reason for excluding it. Please note that the numbering system herein is the same as is in the *OZAH Checklist*. The document names themselves may be paraphrased.

Exhibit 1 – Completed Application and Fees

Completed Application dated January 19, 2024 and accompanying intake fee check.

Exhibit 2 – Proof of Ownership and Authorization to Proceed

- A. A Deed of purchase (L. 10932, F. 91) dated June 19, 1992.
- B. SDAT Real Property summary sheet.
- C. Address Assignment Letter

Exhibit 3 – Statement of how the Proposed Development Satisfied the Conditions to Grant the Application:

Combined Statement of Justification and Statement of Operations, prepared by The Law Office of Michele Rosenfeld, LLC, dated January 5, 2024. Note that this is the same document as **Exhibit 10**.

Exhibit 3
OZAH Case No: CU 25-06

Exhibit 4 – Certified Copy of the Official Zoning Vicinity Map:

Official Zoning Vicinity Map obtained from the Montgomery County Planning Department dated December 14, 2023.

Exhibit 5 – List of Adjoining and Confronting Property Owners

List prepared by O’Connell & Lawrence, Inc. (“O’C&L”) on December 13, 2023.

Exhibit 6 – List of Civic/Homeowners’ Associations

List obtained on December 13, 2023 from Montgomery County Planning Department website. *Certain MS Excel columns were hidden if no data was included from the look-up tool.*

Exhibit 7 – Traffic Statement or Study

A traffic statement dated January 17, 2024 prepared by Lenhart Traffic Consulting.

Exhibit 8 – Map showing existing buildings, structures, etc.

- A. An existing conditions map prepared by O’C&L, dated Dec. 13, 2023.
- B. Approved NRI/FSD #420201520, prepared by Norton Land Design, LLC.
- C. A 500 foot perimeter exhibit, showing local properties and structures, zoning, and legal descriptions, prepared by O’C&L, dated Dec. 13, 2023.
- D. A surrounding neighborhood map, prepared by O’C&L and the Law Office of Michele Rosenfeld, LLC.

Exhibit 9 – Existing/Proposed Utility Plan

A Color Coded Utility Plan prepared by O’C&L, dated Dec. 13, 2023.

Exhibit 10 – Written Description of Operational Features

Combined Statement of Justification and Statement of Operations, prepared by The Law Office of Michele Rosenfeld, LLC, dated January 5, 2024. Note that this is the same document as **Exhibit 3**.

Exhibit 11 – Plans Showing Proposed Exterior Changes (and associated documents)

- A. A Proposed Conditions Conditional Use Site Plan prepared by O’C&L dated Dec. 13, 2023.
- B. A landscape and lighting plan prepared by Norton Land Design, dated January 21, 2022
- C. Preliminary Plan of Subdivision #120210100 prepared by O’C&L – this plan is submitted for information only.
- D. Development Review Committee comment summary for PPS #120210100.
- E. Approved Septic Plan, prepared by O’C&L, dated September 4, 2020.
- F. Approved Stormwater Management Concept #286223, prepared by O’C&L – *note that this is a revised version of the originally approved concept.*
- G. Concept Approval Letter, dated April 5, 2022.
- H. Forest Conservation Plan #120210100 (as dated 12.9.2020).
- I. Forest Conservation Plan #120210100 (as dated 2.9.2022).

Exhibit 12 – Forest Conservation Outreach Information – Preliminary Plan Submission Information

- A. Notice List
- B. Sample Notice Letter
- C. Sign Posting Information
- D. Sign Location Map
- E. Verification of Sign Posting

Exhibit 13 – All Additional Exhibits for Review

A. Land Use & Zoning Report dated December 20, 2023, prepared by O’C&L.

Exhibit 14 – All requested Electronic Versions of Documents

Electronic versions of all documents are included with this submission package in the proper form. A flash drive is included with this submission package with this information. If additional documents and/or files in other versions are required, please contact the development team, and we will be happy to send you those documents via electronic mail, FTP site, or other source.

Intentionally Omitted

- A. Construction Phasing Schedule/Plan (This is not expected to be a phased development)
- B. Telecommunication Tower Documents (N/A)
- C. Day Care Facility Documents (N/A)
- D. Accessory Apartment Documents (N/A)
- E. Solar Collection System Documents (N/A)

Please note: Documents submitted related to Preliminary Plan #120210100 (Particularly **Exhibits 11C, 11D, 11I, and Exhibits 12A – 12E**) are submitted largely for information only and to provide a complete record for this planning history for this site. The site layout as shown on more recent documentation was amended/updated based on comments received at the time of Development Review Commission. The Applicant anticipates that he will need to complete the preliminary plan and recordation process following completion of the Conditional Use process.

Please review this application and the supporting materials and certify for completeness. Four (4) copies of each document is included with this submission (excepting the fees and flash drive). If additional materials or corrections are needed, please contact Michele Rosenfeld at michele@marylandpropertylaw.com and/or Doug Tilley at doug@oclinc.com.

Thank you in advance for your help with this application.

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Very Truly Yours,
O’Connell & Lawrence, Inc.



Douglas G. Tilley, P.E., R.P.L.S.
Vice President of Engineering and Surveying