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January 7, 2026

Ms. Khandikile Sokoni
Montgomery County Office of Zoning
And Administrative Hearings
Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, Maryland 20850

Re: CU 25-08; Byrd Family Living Trust
Request to Postpone Hearing

Dear Ms. Sokoni:

I am writing to request a postponement of the hearing for CU 25-08, presently scheduled to occur on February 19, 2026.

On December 22, 2025, MNCPPC staff reviewers Mark Beall and Jane Peuser conducted a site visit of the subject property in conjunction with their review of the application and preparation of their staff report. On December 29, 2025, staff transmitted an email to the undersigned identifying several issues with the pending application. Among other items, staff advised that the area proposed for operation of the home occupation exceeds the 1,500 square foot maximum permitted under the Zoning Ordinance.

Following receipt of staff's comments, we conferred with Mr. Beall regarding the course of action to be followed to address staff's observations. Based on those discussions, it has been determined that the applicant must seek a variance from the 1,500 square foot limitation in order to proceed with the case. Preparation of a variance application will require additional time, and we anticipate needing three or more weeks to complete and file the variance application with the Board of Appeals and have it joined with the pending conditional use application.

When the variance application is filed, we will request that the Board of Appeals forward the application to the Office of Zoning and Administrative hearings. We will further request that a joint public hearing be held on the conditional use application and the related variance, so that both matters may be heard concurrently, and so that the Hearing Examiner's comments on the variance application can be shared with the Board of Appeals before making a decision on the variance request.

Exhibit 18
OZAH Case No: CU 25-08

In light of the foregoing, we respectfully request that the currently scheduled hearing on the conditional use application be postponed to allow sufficient time for preparation, filing, and coordination of the variance application and for scheduling of a joint hearing.

Thank you for your consideration of this request. Please do not hesitate to contact me if additional information would be helpful.

Sincerely yours,

MILLER, MILLER & CANBY



Jody S. Kline

CC: Nana Johnson
Barbara Jay
Mark Beall
Jane Peuser
Clarksburg Plumbing, LLC
Andrew Bradshaw
Shelly Vallone, Esq.