



Inspire, LLP Education Institution (Private), Conditional Use No. 18-09

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Completed: 08/24/2018

Description

Request: Conditional use approval to operate a private educational institution (Project)

Site Address: 4343 Sandy Spring Road
Burtonsville, MD 20866

Property Size: 2.97 acres

Zoning: R-200

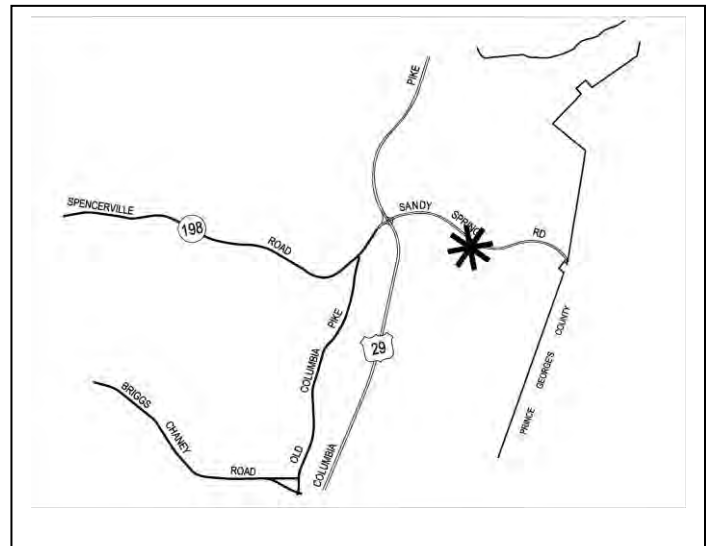
Master Plan: Fairland Master Plan

Applicant: Inspire, LLP

Filing Date: June 4, 2018

Hearing Examiner

Public Hearing: September 28, 2018



SUMMARY

- With recommended conditions, the conditional use conforms to section 59-4.4.7 (Residential - 200 Zone), section 59-7.3.1 (Conditional Use) and section 59-3.4.5 C.2 (Educational Institution, Private) of the Montgomery County Zoning Ordinance.
- Pursuant to section 59-3.1.6 (Use Table) of the Montgomery County Zoning Ordinance, a private educational institution is allowed in the R-200 zone with an approved conditional use.
- Presently, there exists a 6,000-sq. ft. commercial building on the property. It was previously used as the Silver Spring Moose Lodge, a fraternal service organization, as approved by Special Exception Case No. S-338.
- The proposed use is consistent with the Fairland Master Plan.
- The project complies with Montgomery County Environmental Guidelines, as conditioned.
- There are no significant land use or environmental impacts associated with the request.

Section I: Staff Recommendations and Conditions of Approvals

Staff recommends approval of Conditional Use No. 18-19 to operate an Educational Institution (Private), subject to the following conditions:

- 1) The maximum number of staff is limited to a total of eight (8) staff, which includes four (4) administrative staff and four (4) teaching staff. Hours of operation for staff is limited to normal business hours and during educational programs.
- 2) The permitted hours of operation for educational programming are limited as follows:

| Day of the Week | Time Permitted | Attendees |
|---|-------------------------|---------------|
| Monday through Friday | 7:30 p.m. to 11:00 p.m. | 48 maximum |
| Saturday, non-special events | 9:00 a.m. to 10:00 p.m. | 48 maximum |
| Saturday, special events Only four Saturday special events are permitted per year. | 9:00 a.m. to 10:00 p.m. | 75 maximum |
| Sundays | Not permitted | Not permitted |

Hours of operation may be amended through an administrative modification if additional traffic analysis is performed to demonstrate that there are adequate transportation facilities based on the latest Subdivision Staging Policy and Local Area Transportation Review Guidelines, accordingly.

- 3) Outside activities are limited to occasional recreation activities such as putt putt golf, relay races, dodgeball, and the like.
- 4) No music or amplified sound equipment shall be permitted outside of an enclosed building.
- 5) The existing landscaping shall be maintained as shown on the Applicant's site plan, unless otherwise modified in accordance with section 6.4.3 of the Zoning Ordinance.
- 6) Any new outdoor lighting or alterations to existing outdoor lighting must be done in accordance with Section 6.4.4.E of the Zoning Ordinance.
- 7) The 37 parking spaces shown on the Applicant's site plan shall be maintained, unless otherwise modified by Chapter 59 (Zoning Ordinance).

- 8) Prior to the issuance of a use-and-occupancy permit, the Applicant shall improve the existing parking facility as shown on the site plan and as follows: Mark and stripe the surface parking lot to provide for orderly and safe on-site vehicular movement, subject to approval by Montgomery County Department of Permitting Services.
- 9) Prior to the approval of the Conditional Use, the Applicant must obtain satisfactory septic system test results as required by Montgomery County Department of Permitting Service Well and Septic Program, or consent to connect to the existing public sewer system.
- 10) Prior to the issuance of a use-and-occupancy permit, the Applicant must extinguish existing Special Exception Case No. S-338 with the Board of Appeals.

Section II: Project Description

A. Background

On September 5, 1974, the Board of Appeals approved Special Exception No. S-338 for the construction and operation of a private club (service organization) in the R-200 zone. The approval included the reuse of existing buildings, driveway relocation, and landscaping. Operationally, the current fraternal lodge operator is permitted to hold functions Monday through Saturday from 11:00 a.m. to midnight and on Sunday from 2:00 p.m. to 10:00 p.m. Occasional special event functions are allowed and shall cease operations no later than 1:00 a.m.

The Elks Club organization operated the private club beginning in 1975 and sold the property to the Silver Spring Moose Lodge in 2009. The Silver Spring Moose Lodge operated the private club until 2018. The lodge operated the facility as a fraternal service organization and hosted events such as club meetings, community service events, and wedding receptions. Some larger events were in excess of 100 persons. The property is now under contract for sale to the Inspire, LLP (Inspire or Applicant).

Accepted for filing on June 4, 2018, Applicant has requested approval of a conditional use (CU 18-09) to allow the operation of an educational institution (private) in the R-200 zone pursuant to section 59-7.3.1 (Conditional Use) of the Montgomery County Zoning Ordinance (Project).

Currently, the 2.97-acre site is developed with a 6,000-sq. ft. lodge building and a 1,544-sq. ft. vacant dwelling. The applicant will retrofit the interior of the buildings to accommodate their needs; no new development or exterior alterations are proposed.



Figure 1 – 4343 Sandy Spring Road, Burtonsville, MD (Project Area Highlighted)

B. Site Description

The property is situated south of Sandy Spring Road (MD 198) and west of Cedar Tree Drive in Burtonsville. Access to the property is from Sandy Spring Road. The 2.97-acre property is mostly flat land. The parcel is generally rectangular in shape and has 200 ft. of frontage along Sandy Spring Road.

The property is developed with a 6,000 sq. ft. two-story wood-frame lodge building and a 1,544 sq. ft. one and one-half story brick and frame dwelling. The lodge building is setback approximately 199.6 ft from the front property line. The dwelling is setback approximately 61.9 ft. from the front property line. Presently, there is a 50 ft. wide asphalt driveway with access from Sandy Spring Road that serves a parking lot for 37 cars.

Landscaping is present on the remainder of the property. The landscape consists of ornamental lawn areas and variety of trees, shrubs, evergreens and invasive species along the northwestern and southwestern property lines. There is an approximately 165 ft. by 35 ft. area grove of trees, evergreens and bushes situated on the northeastern portion of the property. The rear one-third of the property is maintained as an open lawn area and is unimproved. A landscaped berm is present along the eastern property line between the property line and Cedar Tree Drive.

There are no streams, wetlands, or known rare or endangered species present. There are no historically significant structures or sites located on or near the property.

Figure 2 (below) shows the property, improvements, and dimensions. See Attachment 5 for site photographs.

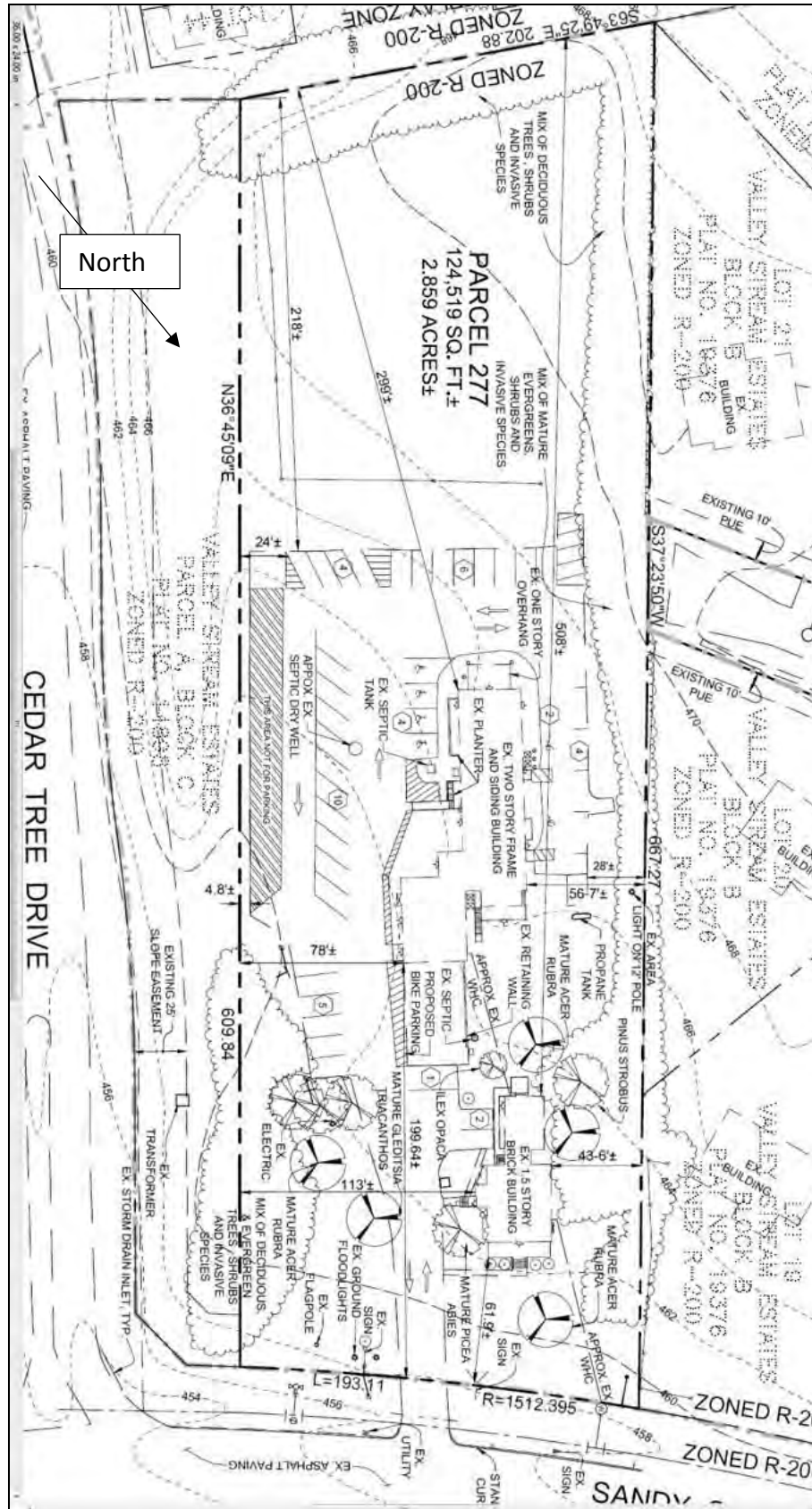


Figure 2 - Proposed site plan with existing buildings, parking, and landscape.

Table 1 Site Description

| | |
|-----------------------|--|
| Site Address: | 4343 Sandy Spring Road, Burtonsville, MD 20866 |
| Access: | Sandy Spring Road and Cedar Tree Drive |
| Zoning: | R-200 (Residential 200) |
| Land Use Description: | Single-family detached |
| Master Plan: | Fairland Master Plan |
| Septic Tier: | Tier 1: Sewer existing |
| Site Area: | 2.97 acres |
| Parking Spaces: | 37 vehicle spaces, 2 bicycle spaces |

C. Neighborhood Description

For the purposes of this application, staff has defined the surrounding neighborhood as property generally located within 1,000 ft. radius of the subject property. The neighborhood primarily consists of suburban residential, agricultural, and commercial uses including, landscaping and plant nursery services, churches, and general building contractor yard. There are no known pending or proposed project approvals in the neighborhood vicinity. Table 2 below displays the existing zoning and land uses within 1,000 ft. of the property.

Table 2 - Neighborhood Description

| | |
|--------------------------|---|
| Existing Zoning | |
| Subject: | R-200 (Residential 200) |
| North | RC (Rural Cluster) |
| South: | R-200 |
| East: | R-200 |
| West: | R-200 |
| Existing Land Use | |
| Subject: | Vacant fraternal lodge, single-family dwelling |
| North: | Landscaping and plant nursery, outside storage, detached dwellings |
| South: | Residential attached and detached dwellings, church |
| East: | General contractor, landscaping supply, residential attached and detached dwellings |
| West: | Residential detached dwellings |



Figure 3 – 1,000 Ft. Vicinity Neighborhood Map

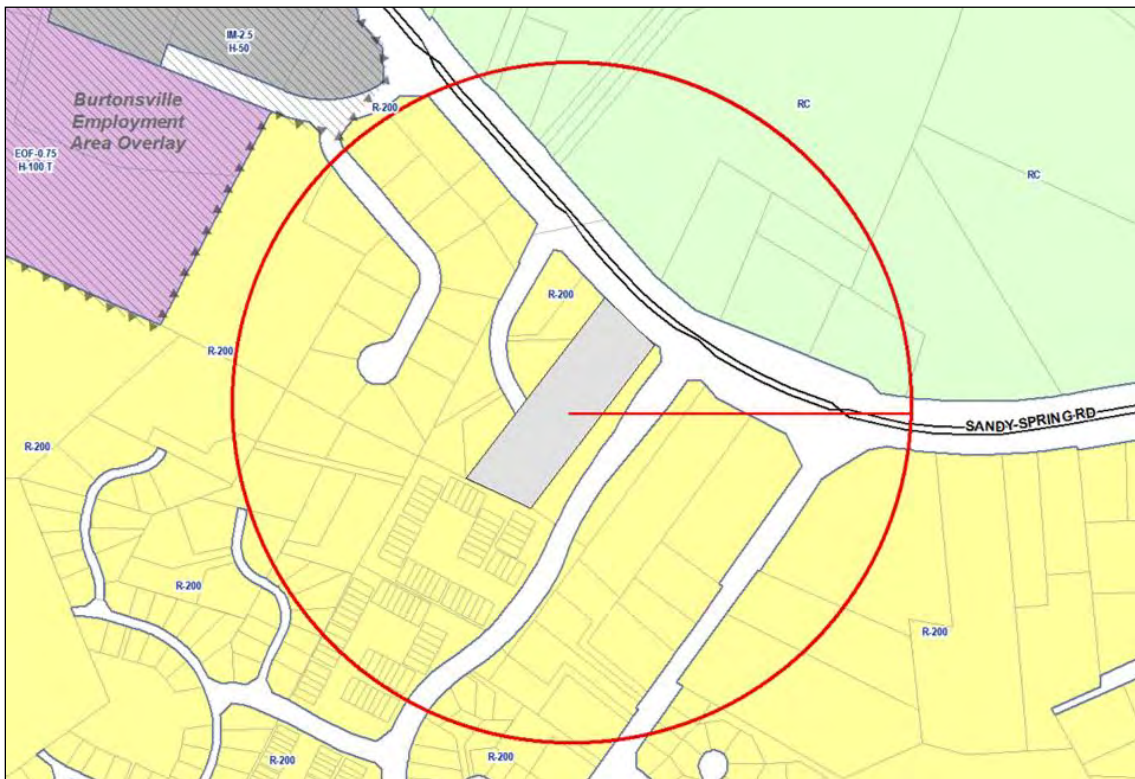


Figure 4 - 1,000 Ft. Vicinity Zoning Map

There are two existing conditional uses/special exceptions located within 1,000 ft. of the subject Property. Table 3 (below) describes these uses and Figure 5 shows the location in proximity to the subject property.

Table 3 – Existing Conditional Use/Special Exception Cases Within 1,000 ft. of Property

| Case No. | Description and location |
|----------|--|
| S-339 | Fraternal service organization at 4343 Sandy Spring Road, Burtonsville (subject property). |
| S-2583 | Accessory apartment at 15116 Mc Knew Road, Burtonsville |

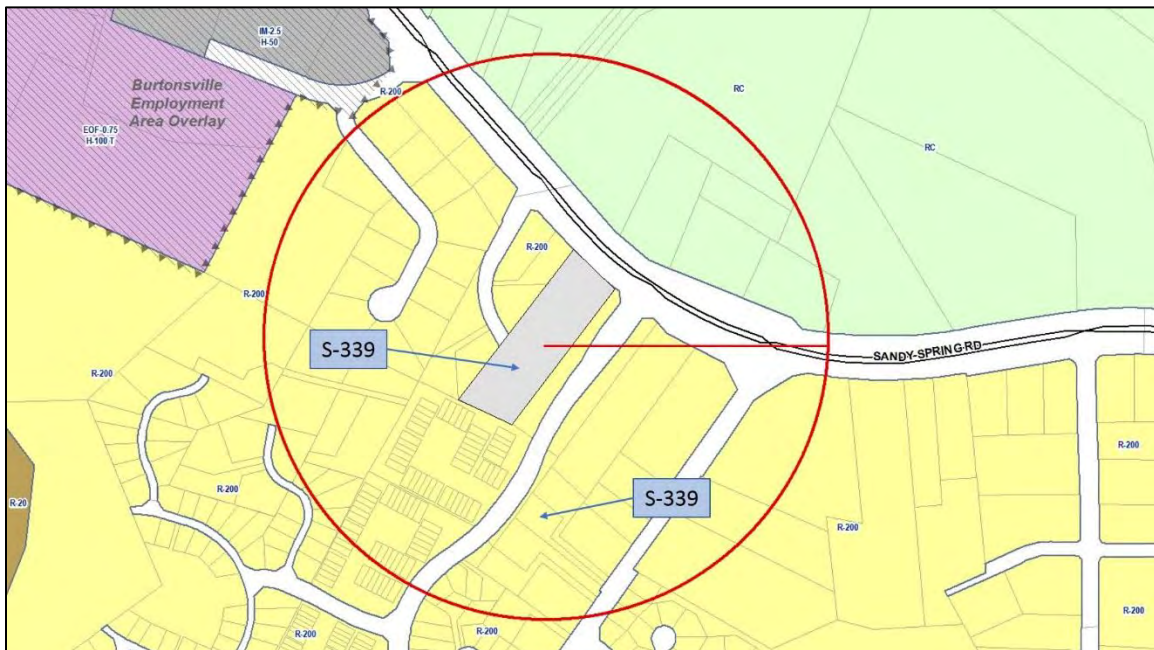


Figure 5 - Conditional uses/special exceptions located within 1,000 ft. vicinity

D. Zoning History

The Fairland Master Plan was adopted in 1997. The subject property lies within the Oakfair/Saddle Creek community of Fairland. Much of this area was built-out in the 1980s. Since at least 1994, the subject and surrounding property have been zoned R-200. The following summarizes the zoning history:

- The vacant 1,544 sq. ft. single-family dwelling was built in 1927 (SDAT 2018).
- According to Special Exception Case No. S-338 report, from between 1927 and 1975, the property was improved with additional buildings and barns. It appears that from about 1965 to 1975, the property and outbuildings were used as a laboratory for raising experimental animals.
- In 1975, the Calverton B.P.O Elks Lodge obtained approval of a special exception (S-338) to operate a private clubhouse facility.

- In 2009, the Silver Spring Moose Lodge purchased the property from the Elks Lodge and continued to use the property as a private clubhouse facility under the existing special exception case (S-338).
- There are no other known previous special exception or conditional use cases associated with the property.

E. Proposed Use

The Project consists of the operation of a private educational institution as a conditional use in an existing 6,000 sq. ft., two-story commercial building (See Figure 2).

The Project will feature a training academy to educate adults through biblical workshops and seminars of various topics including personal growth, health, finance, and relationships. The maximum classroom size is 48 students. However, Applicant indicates that over the past year the average classroom size is 20 to 28 students. Occasional Saturday operations are expected to draw a maximum of 75 persons in attendance. Four administrative staff will be present Monday through Friday, during normal business hours. Four additional teaching staff are expected during evening and weekend classes. Classes will not be held on Sundays. The Applicant has indicated occasional recreational activities may occur. This may include putt putt golf, relay races, dodgeball, and the like. No music or sound enhancing equipment of any kind will be used outdoors.

The proposed educational programming schedule is as follows:

| | |
|-----------------------------------|---|
| Tuesday and Thursday | <ul style="list-style-type: none"> • One class of 20 students from 7:30 p.m. to 9:00 p.m. • Second class of 20 students from 9:30 to 11:00 p.m. |
| Saturday | <ul style="list-style-type: none"> • Up to three classes of about 2 hours each. • Up to 20 students. • Class begins at 9:30 a.m., 12:00 p.m. and/or 7:30 p.m. • Saturday classes are held at varying intervals, but typically not every Saturday. |
| Saturday special events | <ul style="list-style-type: none"> • None are schedule or proposed at this time • Applicant requests approval to hold such events, on occasion, limited to a maximum of 75 attendees. |
| Sunday, Monday, Wednesday, Friday | <ul style="list-style-type: none"> • No classes or events are proposed |

Vehicular access is from Sandy Spring Road to a 50 ft. wide driveway which serves a parking lot for 37 vehicles with six accessible parking spaces. Two bicycle parking spaces are proposed. The parking lot is set back approximately 100 ft. from the front property line, 24 ft. from the south property line, 28 ft. from the north property line, and 218 ft. from the rear property line.

The Applicant has indicated that 30 to 50 percent of attendees currently carpool to attend classes, and that others who live nearby are likely to walk, bike, take public transport or use a ride-hailing service. Furthermore, many attendees do not own cars. For a typical class size of 20 persons, there are 10 cars plus an additional four cars for instructors. A total of 14 cars are on-site for a typical class. Applicant has indicated that parking for special events can be provided for on-site with the existing parking lot and through carpools, walking, biking, public transport, and ride-hailing services.

There is an existing vacant 1.5 story, 1,544 sq. ft. vacant dwelling situated between the front property line and the lodge building. The dwelling is set back 61.9 ft. from the front property line. Presently, there are no immediate plans for use of the dwelling. However, Applicant has indicated future plans may involve repurposing the dwelling for administrative uses. The current monument sign located along Sandy Spring Road will be continued and used.

Section III: Analysis and Findings

1. Development Standards

The Project satisfies the definition of Educational Institution (Private), section 59-3.4.5 A, because it will provide a training facility of instructional workshops and classes as described in the Applicant's statement and application materials.

The following table displays the relevant R-200 required and proposed development standards. The Project complies with the following development standards:

Table 4 – Development Standards

| Development Standards (R-200) | Required | Proposed |
|--|---|---|
| Minimum Lot Area | 20,000 sq. ft. | 2.97 acres |
| Minimum Lot Width | | |
| At street line (front lot line) | 25 ft. | 193 ft. |
| At building line | 100 ft. | 193 ft. +/- |
| Maximum Lot Coverage | 25% | Less than 25% |
| Minimum Building Setback | | |
| Front | 40 ft. | 61.9 ft. |
| Side | 40 ft. | 78 and 43.5 ft. |
| Rear | 30 ft. | 299 ft. |
| Maximum Building Height | 50 ft. | Less than 50 ft. |
| Maximum Density | 2.18 units per acre | 0.34 units per acre (one dwelling present) |
| Minimum Accessory Building Setback | | Not applicable, no accessory building proposed. |
| Front | 65 ft. | |
| Side street | 40 ft. | |
| Side setback | 12 ft. | |
| Rear setback | 12 ft. | |
| Parking Requirements (59.6.2.4) 0.25 spaces per student; 1 space per employee | Students: 19 Employee: 8 Total: 27 Accessible: 2 Bicycle: 2 | Total: 37 Accessible: 6 Bicycle: 2 |

2. Master Plan:

The Project is located in the Fairland Master Plan (1997) in Burtonsville. Burtonsville lies in the eastern corner of Montgomery County, which is approximately ten miles northeast from downtown Silver Spring. The Project is located about three-quarters of a mile southwest of the crossroads of US 29 and MD 198 on Sandy Springs Road.

Numerous stream valleys, roadways, and varied topography physically divide the Fairland Master Plan boundary into plan subareas. The property is located in the Oak Fair/Saddle Creek subarea of the Fairland Master Plan. The property also lies in the Little Paint Branch

watershed, which is described as the more environmentally sensitive watershed in the master plan area vicinity.

The Master Plan discusses interrelated themes to address challenges and opportunities with land development to create a “livable suburban community – a series of neighborhoods with sidewalks and tree, access to the natural environment and recreational facilities with employment and commercial areas emphasizing horizontal rather than vertical structures” (Fairland Master Plan, 1997, p. 15).

There are no specific recommendations in the Fairland Master Plan concerning the Property. However, the Project is compatible with the following general policies contained in the Master Plan:

- *Land Use Plan Map – Property identified as commercial land use category on the land use plan map (p. 29).*

The Project complies with the commercial category of the land use plan map because the proposed use is a private educational institution, which is a non-residential land use. As such, the Project is consistent with this policy.

- *Recommends limited impervious surfaces as much as possible, given the existing land use and zoning patterns (p.135).*

The Project is a change of use with no new construction proposed. The Property is located in the Little Paint Branch watershed, which is described as having fair to poor water quality. The Project is within the Silverwood tributary which the Master Plan recommends as a Environmental Preservation Area where land uses should minimize additional imperviousness. Present lot coverage is less than 25 percent impervious coverage. The maximum lot coverage in the R-200 zone is 25 percent. The Project does not propose any new construction. As such, the Project is consistent with this policy.

- *Maintain low-density development pattern within the Residential Wedge and Patuxent water-shed (p. 16).*

The Property is located in the Residential Wedge of Fairland and in the identified as moderate density. The Project consists of a change of use from a private service organization club to a private educational institution. The proposed change of use will continue to be a low-density development pattern. Therefore, the Project is consistent with this policy.

3. Transportation and Parking

The Project site is situated on the south side of Sandy Spring Road, east of US 29 and just immediately west of Cedar Tree Drive. Vehicular access is via an existing driveway on

Sandy Spring Road (MD 198) that can only be accessed by vehicles heading eastbound on MD 198 due to a median in front of the property. There are no sidewalks along MD 198 in the vicinity of the site, but there is a shared use path on the south side of the road approximately 930 feet to the west which extends into Burtonsville. There is one bus, Metrobus Route Z7, that services the site at a bus stop approximately 625 feet to the east at Mc Knew Road.

Since the proposed Project's floor area, height and footprint of the structure are not being increased, it qualifies under Section 7.7.1 of Chapter 59 as an exemption as "a legal structure or site design existing on October 30, 2014 that does not meet the zoning standards on or after October 30, 2014" and may be continued as the applicant is proposing. Despite this exemption, the Project is planning to provide sufficient vehicular and bicycle parking per the latest zoning requirements for their normal weekday operations.

With a total of eight employees who work traditional 9:00 a.m. to 5:00 p.m. hours and weekday classes offered from 7:30 p.m. to 11:00 p.m., the Project will not generate 50 or more peak hour person trips during either the morning or evening peak periods (6:30 to 9:30 a.m. and 4:00 p.m. to 7:00 p.m.). Therefore, the Project is exempt from Local Area Transportation Review.

4. Landscaping

Landscaping is not part of this review because the landscaping plan is not being modified. Further, pursuant to section 59-7.7.1 A.1, the landscaping is conforming (grandfathered) and may be continued so long as the floor area, height, or footprint of the structure is not increased. This standard is satisfied.

5. Outdoor Lighting Requirements

Outdoor lighting requirements are not part of this review because outdoor lighting is not being modified. Further, pursuant to section 59-7.7.1 A.1, the outdoor lighting is conforming (grandfathered) and may be continued so long as the floor area, height, or footprint of the structure is not increased. This standard is satisfied.

6. Signs

The applicant has indicated the current monument sign will be continued and used. No other signs are proposed. As such, this standard is satisfied.

7. Environment and Forest Conservation

The Project consists of a change in use from a private fraternal club to a private educational institution. No new construction is proposed. Applicant has received Forest Conservation Law Exemption Plan No. 2019029E dated August 16, 2018 (See Attachment 2). This standard is satisfied.

The site contains no wetlands, streams, protected soils, endangered species, seeps, or other natural features. The Project site is not located within a Special Protection Area.

A stormwater management plan or sediment control plan are not required because there is no soil disturbance proposed (See Applicant Exhibit 15).

8. Community Concerns

At the time of the publication of the staff report, no communication has been received by staff from community organizations or members of the public.

Section IV: Compliance with Necessary Findings

1. Section 59.7.3.1.E Conditional Use

E. Necessary Findings

1. *To approve a conditional use application, the Hearing Examiner must find that the proposed development:*

- a. *Satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended;*

Staff Response: This finding is satisfied. Currently, the property is developed in substantial conformance with Special Exception Case No. S-338. As discussed in Section II above, the existing building was modified and has been used to operate a private service organization club since around 1974. The Project consists of a change of use to a private educational institution. No new construction is proposed. Therefore, with the approval of the conditional use, the Project complies with the applicable requirements under an approved conditional use.

- b. *Satisfies the requirements of the zone, use standards under Article 59-3 (Uses and Use Standards), and to the extent the Hearing Examiner finds necessary to ensure compatibility, meets applicable general requirements under Article 59-6 (General Development Requirements);*

Staff Response: This finding is satisfied. The development standards that must be applied to this use are the standards of the R-200 zone as it existed under the 2004 zoning ordinance. The applicable use standards are discussed in Section III of this report. The bulk of the general requirements of Article 59-6 of the 2014 zoning ordinance do not apply to this application. Article 6 of the 2014 Project satisfies applicable provisions under Article 59-3 (Uses and Use Standards) as shown in Section III of this report. Article 6 of the 2014 Zoning Ordinance contains detailed standards governing site landscaping, parking, lighting, drive-aisles, loading areas, and other aspects of site design, which are grandfathered and reviewed under the 2004 zoning ordinance pursuant to section 59-7.7.1.A.1 of the 2014 zoning ordinance. The review of parking requirements is contained in Section III of this report. The requirements for signs are not part of this application. Therefore, with the approved conditional use, this finding is satisfied.

- c. *Section 59.7.3.1.E.1.c: Substantially conforms with the recommendations of the applicable master plan.*

Staff Response: This finding is satisfied. The Project lies within the geographic area covered by the Fairland Master Plan. The Master Plan provides guidelines for the design and development of public and private land. The Plan designated the property as part of

the Oakfair/Saddle Creek area (p. 47). The Plan acknowledges that the property is commercial in use, surrounded by single-family residential with industrial uses recommended to the northwest on the south side of Sandy Spring Road (p. 29). While the Plan does not provide specific recommendations for the property, the Plan does include certain goal for new development. These themes include maintaining a low-density development pattern and to provide land uses that promote social interaction and a strong sense of community (pp. 16, 32). The Project is a change of use and does not include any new construction, additional floor area, or density. The current low-density development pattern will be maintained.

Additionally, the Applicant proposes to operate a private educational institution and provide instructional coursework, seminars and workshops with an emphasis on “leadership training, business and financial principles, couples’ conferences, corporate prayer, and personal development” (p. 3 Applicant Statement). Applicant indicates that most participants reside within a ten-mile radius of its current location in nearby Laurel, Maryland and are part of the local community. Such programs can help to promote social interaction and promote a strong sense of community.

Applicant indicates that the maximum class size is 48, but averages 20 to 28 participants. Saturday attendees may be a maximum of 75. Staff consist of four personnel and four instructors. Operating hours are discussed in Section II of this report. The prior use was an Elks Lodge and Moose Lodge, which operated a commercial kitchen, bar, and hosted wedding receptions and similar events. Applicant indicates that the bar and commercial kitchen will not be used. The Project will replace a more intensive conditional use with a less intensive conditional use. This demonstrates that the Project will be less impactful to the surrounding single-family dwellings than the fraternal lodge use.

Therefore, the evidence presented supports a finding that the Project conforms to the recommendations of the Master Plan.

- d. *Is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan.*

Staff response: This finding is satisfied. This finding includes both Master Plan analysis and other compatibility consideration. The Master Plan issues have been discussed in the preceding section. The character of the surrounding area is primarily residential, consisting of single-family attached and detached homes south of Sandy Spring Road. To the north of Sandy Spring Road is a mix of commercial, industrial, and detached single-family residential. The Project will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan because the use is located within an existing commercial building, adequately buffered with landscaping, and sufficiently located away from any sensitive land uses or dwelling units. Staff concludes that the use will be harmonious with the surrounding uses.

- e. *Section 59.7.3.1.E.1.e: Will not, when evaluated in conjunction with existing and approved conditional uses in any neighboring Residential Detached zone, increase the number, intensity, or scope of conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area; a conditional use application that substantially conforms with the recommendations of a master plan does not alter the nature of an area.*

Staff Response: This finding is satisfied. As discussed in Section III of this report, the Project substantially conforms to the policies and recommendations contained in the Master Plan. There are no residential areas that would be adversely affected or altered by the Project because the Project site is sufficiently buffered and located away from residential uses to the west and south. Furthermore, as shown in Table 3 (above) three existing conditional uses/special exceptions exist in the vicinity: the subject property, an accessory apartment, and a landscape contractor. As a condition of approval, the existing conditional use would be invalidated upon approval of the application. As such, there would not be an overconcentration of conditional uses in the area.

- f. *Section 59.7.3.1.E.1.f: will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the conditional use is equal or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required and:*
- i. *If a preliminary subdivision plan is not filed concurrently or required subsequently, the Hearing Examiner must find that the proposed development will be served by adequate public facilities, including schools, police and fire protection, water, sanitary sewer, public roads, or storm drainage; or*
 - ii. *If a preliminary plan of subdivision is filed concurrently or required subsequently, the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage.*

Staff Response: This finding is satisfied. The Project is adequately served by public services and facilities, including schools, police, and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. As discussed above, the property is adequately served by public roads and will not cause an undue burden on the road system. The property is served by public sewer and water and is located in the S-1 and W-1 water categories, respectively. Should the applicant wish to continue to utilize the existing on-site septic system, the Department of Permitting Service may require additional testing or permits (See Attachment 4). Alternately, the Applicant may connect to the existing public sewer system. The Applicant has indicated that no new construction is proposed. Should the Applicant wish to increase the square footage of an

existing building or construct a new building, a Preliminary Plan and record plat would be required.

- g. *Section 59.7.3.1.E.1.g: will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:*
- i. *The use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;*
 - ii. *Traffic, noise, odors, dust, illumination or lack of parking; or*
 - iii. *The health, safety or welfare of neighboring residents, visitors or employees.*

Staff Response: This finding is satisfied. The inherent physical and operational characteristics associated with the private educational institution will not cause undue harm to the neighborhood. There are no non-inherent conditions as a result of this application. The inherent characteristics include:

- Vehicle and pedestrian trips to and from the property;
- Parking for participants and employees;
- Varied hours of operation;
- Noise or odors associated with vehicles; and
- Lighting.

These characteristics are inherent and typically associated with similar uses and do not exceed what is normally expected. Residential uses adjoining the property to the west and south are well-buffered from the Project in distance and by existing landscape. Further, the Project must comply with the County Noise Control Ordinance (Chapter 31B of the County Code), and as such would not create excessive noise. The Project would cause no adverse effect with regard to inherent or non-inherent characteristics, or combination thereof, or in any of the following categories: the use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood; traffic, noise, odors, dust, illumination or lack of parking; or the health, safety or welfare of neighboring residents, visitors or employees.

2. *Any structure to be constructed, reconstructed, or altered under a conditional use in a Residential Detached zone must be compatible with the character of the residential neighborhood.*

Staff Response: This finding is not applicable. The Project does not propose any construction, reconstruction, or alterations.

3. *The fact that a proposed use satisfies all specific requirements to approve a conditional use does not create a presumption that the use is compatible with nearby properties and, in itself, is not sufficient to require conditional use approval.*

Staff Response: Acknowledged by the applicant.

4. *In evaluating the compatibility of an agricultural conditional use with surrounding Agricultural or Rural Residential zoned land, the Hearing Examiner must consider that the impact does not necessarily need to be controlled as stringently as if it were abutting a Residential zone.*

Staff Response: This finding is not applicable. The Applicant does not propose an agricultural conditional use. The Project is a conditional use approval for private educational institution, which is classified as civic and institutional use group (Section 59-3.1.6).

5. *The following conditional uses may only be approved when the Hearing Examiner finds from a preponderance of the evidence of record that a need exists for the proposed use to serve the population in the general neighborhood, considering the present availability of identical or similar uses to that neighborhood:*
- i. *Filling Station;*
 - ii. *Light Vehicle Sales and Rental (Outdoor);*
 - iii. *Swimming Pool (Community); and*
 - iv. *the following Recreation and Entertainment Facility use: swimming pool, commercial.*

Staff Response: The finding is not applicable. The Project is a not a filling station, light vehicle sales and rental (outdoor), swimming pool (community); or a swimming pool, commercial. The Project is a private educational institution.

6. *The following conditional uses may only be approved when the Hearing Examiner finds from a preponderance of the evidence of record that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood:*
- i. *Funeral Home; Undertaker;*
 - ii. *Hotel, Motel;*
 - iii. *Shooting Range (Outdoor);*
 - iv. *Drive-Thru*
 - v. *Landfill, Incinerator, or Transfer Station; and*
 - vi. *a Public Use Helipad, Heliport or a Public Use Helistop.*

Staff Response: This finding is not applicable. The Project is not a funeral home, undertaker, hotel, motel, shooting range (outdoor), drive-thru, landfill, incinerator, transfer station, public use helipad, heliport or a public use helistop. The Project is a private educational institution.

2. Section 59-3.4.5 Conditions for Approval of Educational Institution (Private)

C. Use Standards

2. *Where an Educational Institution (Private) is allowed as a conditional use, it may be permitted by the Hearing Examiner under Section 7.3.1, Conditional Use, and the following standards:*

a) *The Educational Institution (Private) will not constitute a nuisance because of traffic, number of students, noise, type of physical activity, or any other element that is incompatible with the environment and character of the surrounding neighborhood.*

Staff Response: This standard is satisfied. The Project proposes to operate a private educational institution offering evening coursework and occasional weekend curriculum as described above in this report. Except for occasional recreation outside activities, classes are held inside the building. No music or sound enhancing equipment of any kind will be used outdoors. The average class size is typically 20 to 28 participants, with a maximum of 75. The existing conditional use operated a commercial kitchen, bar and provided a venue for wedding receptions and similar functions. The Applicant has indicated the bar and commercial kitchen will not be operated as such. No new construction is proposed. The impact of the Project is less than that of the existing conditional use for a private club. Therefore, the Project would not constitute a nuisance or be incompatible with the environment and character of the surrounding neighborhood.

b) *The Educational Institution (Private) will be in a building compatible with the residential character of the surrounding neighborhood, and, if the Educational Institution (Private) is located on a lot of 2 acres or less, in either an undeveloped area or an area substantially developed with detached houses, the exterior architecture of the building must be similar to a detached house design, and at least comparable to any existing homes in the immediate neighborhood.*

Staff Response: This standard is satisfied. The Project will operate inside the existing building and is located on a lot that is larger than 2 acres in size. The property is 2.97 acres. Special Exception Case No. S-338 found that the existing building does not have a detrimental effect on the use of the surrounding residential properties. No new construction is proposed. As such, there would not be an adverse impact to the residential character of the surrounding neighborhood.

- c) *The Educational Institution (Private) will not, in and of itself or in combination with other existing uses, affect adversely or change the present character or future development of the surrounding residential community.*

Staff Response: This standard is satisfied. The Applicant proposes to operate a private educational institution inside an existing building which has been used as a private service club since at least 1974 (Elks Lodge and Moose Lodge). There is no new construction proposed that would increase floor area or height. No alcoholic beverages or food will be served, as is currently permitted by the private service club. As such, the Project would have less of an impact than the current use and not adversely affect or change the present character or future development of the surrounding community.

- d) *The number of pupils per acre allowed to occupy the premises at any one time must be specified by the Hearing Examiner considering the following factors:*

- i. *traffic patterns, including:*
 - a) *impact of increased traffic on residential streets;*
 - b) *proximity to transit services, arterial roads, and major highways;*
and
 - c) *provision of measures for Transportation Demand Management in Chapter 42 (Section 42A-21).*
- ii. *adequacy of drop-off and pick-up areas for all programs and events, including on-site stacking space and traffic control to effectively deter vehicle queues on adjacent streets;*
- iii. *adequacy of student and visitor parking; and*
- iv. *noise or type of physical activity.*

Staff Response: This standard is satisfied. The Applicant has stated that the maximum number of persons at one time would be 75, and on average the typical number of participants is 20 to 28 in a 6,000 sq. ft. building. The private service club operator held events with “hundreds of people” (Applicant Exhibit Q-4.1). Thus, the proposed use will have a far less of an impact on vehicular traffic because the maximum number of participants is significantly less with Project than with the current club use. The Property is located in about 3/4 of a mile from the Burtonsville Park and Ride, which provides bus connection service in the US 29 (Columbia Pike) highway corridor and vicinity. Also, Metrobus Route 27 is located approximately 650 feet south of the Property on Sandy Spring Road at Mc Knew Road. The proposed learning center is for adults who will likely drive themselves to the property. Therefore, there is no demand to provide a drop-off

and pick-up area for programs and events. Nonetheless, there is adequate queueing space provided by the approximately 150 ft. driveway from Sandy Spring Road. The parking provided is adequate as discussed above in Section III. Outside activity will be limited to occasional field games and the like. No music or sound equipment will be used out-of-doors.

- e) Density greater than 87 pupils per acre may be permitted only where the Hearing Examiner finds that:
- i. the program of instruction, special characteristics of students, or other circumstances justify reduced space and facility requirements;
 - ii. the additional density will not adversely affect adjacent properties; and
 - iii. additional traffic generated by the additional density will not adversely affect the surrounding streets.

Staff Response: This standard is satisfied. The Applicant has stated that the maximum number of students at one time would be 75. The size of the property is 2.97 acres. The proposed density of student per acre is 26 ($75 \div 2.9 = 25.9$). Twenty-six is less than 87, therefore, this standard is satisfied.

- f) Outdoor recreation facilities are screened from abutting residential properties under Division 6.5.

Staff Response: This standard is satisfied. The Applicant has indicated occasional recreational activities may occur. This may include putt putt golf, relay races, dodgeball, and the like. No music or sound enhancing equipment of any kind will be used outdoors. The property has perimeter landscape screening as shown on the Applicant's site plan. The property is 2.97 acres in size, and such outdoor activities are sufficiently buffered in distance from abutting residential properties.

- g) Any lighting associated with outdoor recreation facilities must satisfy Section 6.4.4.

Staff Response: This finding is satisfied. No new outdoor lighting is proposed, and the existing outdoor lighting is grandfathered. Article 6 of the 2014 Zoning Ordinance contains detailed standards governing site landscaping, parking, lighting, drive-aisles, loading areas, and other aspects of site design, which are grandfathered and reviewed under the 2004 zoning ordinance pursuant to section 59-7.7.1.A.1 of the 2014 zoning ordinance.

- h) If an Educational Institution (Private) operates or allows its facilities by lease or other arrangement to be used for: (i) tutoring and college entrance exam preparatory courses; (ii) art education programs; (iii) artistic performances; (iv)

indoor and outdoor recreation programs; or (v) summer day camps, the Hearing Examiner must find, in addition to the other required findings for the grant of a conditional use, that the activities in combination with other activities of the institution, will not have an adverse effect on the surrounding neighborhood due to traffic, noise, lighting, or parking, or the intensity, frequency, or duration of activities. In evaluating traffic impacts on the community, the Hearing Examiner must take into consideration the total cumulative number of expected car trips generated by the regular academic program and the after school or summer programs, whether or not the traffic exceeds the capacity of the road. A transportation management plan that identifies measures for reducing demand for road capacity must be approved by the Hearing Examiner.

Staff Response: This finding is satisfied with recommended Condition No. 1. As discussed above in Section III.3, with a total of eight employees who work traditional 9:00 a.m. to 5:00 p.m. hours and weekday classes offered from 7:30 p.m. to 11:00 p.m., the Project will not generate 50 or more peak hour person trips during either the morning or evening peak periods (6:30 to 9:30 a.m. and 4:00 p.m. to 7:00 p.m.). Therefore, the Project is exempt from Local Area Transportation Review and satisfies this standard.

- i) The Hearing Examiner may limit the number of participants and frequency of events.

Staff Response: Acknowledged by the applicant.

Section V: Conclusion

The proposed private educational institution, as recommended in Section I of this report, satisfies all applicable requirements for the approval of a conditional use as specified in the Montgomery County Zoning Ordinance and is consistent with the recommendations of the Fairland Master Plan. There are no known unacceptable land use or environmental impacts associated with the Project as submitted by the applicant and as recommended by staff.

Attachments:

1. Applicant's justification statement and exhibits
2. Applicant's site plan
3. Special Exception Case No. S-338
4. Forest Conservation Plan Exemption No. 2019029E
5. E-mail dated August 9, 2018 from DPS Well and Septic
6. Site photographs

IN THE MONTGOMERY COUNTY, MARYLAND
OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS

Case No. _____

IN THE MATTER OF THE APPLICATION OF *
INSPIRE, LLP FOR AN EDUCATIONAL *
INSTITUTION (PRIVATE) CONDITIONAL USE *

STATEMENT OF INSPIRE, LLP
IN SUPPORT OF APPLICATION FOR CONDITIONAL USE

Petitioner, Inspire, LLP ("Inspire"), by its attorneys, Hofmeister & Breza, submits this Statement in Support of Conditional Use Application (the "Application") to demonstrate conformance of a proposed Educational Institution (Private) as a conditional use (the "Conditional Use") with all applicable review requirements and criteria. As outlined on the tax map attached as Exhibit "A", the property that is the subject of the Application consists of approximately 2.859 acres+/- (previously referred to as 2.97 acres +/- in the Land Records of Montgomery County at Deed Liber 36879, Folio 467), more formally known as all of Parcel 277 on Tax Map LS11 and described as part of Snowdens Manor Enlarged, located at 4343 Sandy

Spring Road in Burtonsville (the "Property"), also as shown on a new survey dated February, 2018 prepared by David Kinman, President of Eyott, Inc. (Professional Land Surveyor) on behalf of Sill Engineering Group, LLC and attached as Exhibit "B". As shown on the Certified Zoning Map, attached as Exhibit "C", the Property is classified in the R-200 (Residential-200) Zone, as set forth in Section 59-4.4.7 of the Montgomery County Zoning Ordinance (the "Zoning Ordinance"). Section 59-3.4.5 of the Zoning Ordinance permits the operation of an educational institution (private) in the R-200 Zone by grant of a conditional use. The Property is currently used by the Silver Spring Moose Lodge.

Inspire, LLP desires to use the Property as a training academy to educate adults through biblical workshops and seminars designed for personal growth and maturity including topics such as health, finance, and relationships. Inspire, LLP consists of a staff of experienced life coaches, teachers, motivational speakers and ordained ministers who offer classes and workshops. Inspire, LLP intends to reuse the approximately 6000 sq. ft. existing wood-frame, lodge building and the 1,544 sq. ft. vacant brick and frame dwelling. No new development or new construction is planned at this time. No exterior changes will be made to the structures or improvements.

I. BACKGROUND

Inspire, LLP is the contract purchaser of the Property, which is currently improved with a lodge building and a vacant single-family dwelling. A letter from the current owner, Silver Spring Lodge No. 658, Loyal Order of Moose, Inc., a Maryland Corporation ("Silver Spring Moose Lodge"), authorizing Inspire, LLP to file this Application as the Contract Purchaser is included as Exhibit "D". The Silver Spring Moose Lodge purchased the Property from the

Calverton B.P.O. Elks (“Elks”) in 2009 and continued to use the Property as a fraternal organization pursuant to the terms of the existing Special Exception granted in 1974. (Special Exception Case No S-338, Exhibit “F”)

The record shows that the vacant single family dwelling was constructed in 1927. (See SDAT Printout, Exhibit “P”) Between 1927 and 1975 the property was improved with additional outbuildings and barns. It appears that from approximately 1965 to 1975 the outbuildings/barn structure(s) were used as a laboratory for raising experimental animals. (Exhibit “F,” page 4) In 1975, the Elks obtained a Special Exception to convert the outbuildings/barn(s) into a lodge. Then in 2009, the Elks sold the Property to the Silver Spring Moose Lodge. Now, Inspire, LLP intends to purchase the Property for use as a private educational facility that will be less impactful on the site than the prior uses.

This Property is ideal for an institutional and/or religious use. Inspire, LLP has been serving the community for over 16 years as a Christian based organization with a broad mission of service to all people regardless of denomination. Classes include topics such as leadership training, business and financial principles, couples’ conferences, corporate prayer, and personal development. These types of classes for adults are sought after by individuals and communities to improve peoples’ quality of life with spiritual, religious, and inspirational opportunities not offered elsewhere. Inspire, LLP intends to purchase this Property and move from its current location at 14700 Sweitzer Lane in Laurel, Maryland. Inspire, LLP estimates that the majority of its current students live within a ten mile radius of its current location and are part of the local community. The need for the services offered by Inspire, LLP is felt across Montgomery County and Maryland.

The proposed use near the corner of Sandy Spring Road and Cedar Tree Drive will have

limited impact on the residential community. Only two sides of the property boarder residential uses; each of which are at some distance and/or naturally screened from the residential structures. Several churches including the Korean Bible Church and Trinity Reformed Presbyterian Church serve the surrounding community and demonstrate the need for religious and spiritual support similar to the services offered by Inspire, LLP. Other non-residential uses such as Fehr's Nursery & Garden Center, All Star Waste and Recycling, and Sundeck Supplies are located on the opposite side of Sandy Spring Road. The change of the existing use from the Silver Spring Moose Lodge to the training center for Inspire, LLP will only enhance the community and neighborhood.

II. PROPOSED REUSE OF THE EXISTING STRUCTURES

As shown on the Conditional Use Plan included in the Application as Exhibit "E" (the "Plan"), and as outlined above, Inspire, LLP will reuse the existing structures. The existing structures include a vacant single family residence and a lodge building.

No building plans are being submitted as this time. The lodge which was renovated by the Elks in or about 1975 shall remain. Inspire, LLP intends to use this one and one half story lodge building for classes and administration with administration occupying the top floor and students utilizing the main level. Inspire, LLP's long term vision is to repair the front single-family structure for use by the administrative staff. A series of photographs of the Property show the two existing buildings and other improvements. These photographs are hereby marked as Exhibit "G" numbers 1 through 19.

The current use as a fraternity and social meeting place for the Elks and/or Moose has

been ongoing since approximately 1975. Care was taken in 1975 to renovate the lodge to be architecturally compatible with the nearby residential community in its scale, bulk, height, materials, and textures. The lodge was designed to look like a barn in roof line and shape. The lodge is approximately 20 feet high. The homes adjacent to the Property appear to exceed the height of the one and one half story lodge building. The Petitioner also intends to reuse the existing paved parking lot, landscaping, lighting and signage.

The Property fronts on Sandy Spring Road, a four lane divided highway with a central median strip. The Property is bordered to the south by a strip of open space along Cedar Tree Drive. Three single family houses, which are accessed from Woottens Drive, boarder the northern side of the Property. The rear property line borders the rear of the Valley Streams Estates townhomes on Red Maple Court. The lodge sits back approximately 295 ft. from the townhome development with an expanse of grass between the uses. The lodge and vacant house are screened in part with natural growth elements, trees, and bushes along the majority of the property lines.

Most activity will occur inside the lodge building, and therefore will not adversely impact the adjacent residential area. Compatibility is reinforced with the natural growth of vegetation, trees and bushes along the northern property line. The main door and primary parking for the lodge building are located on the southern side of the structure away from the three residences on the northern side. The main door is also hidden from view of Cedar Tree Drive by the berm in the open space strip of Valley Stream Estates referred to as Parcel A, Block C on the Conditional Use Plan. The representative from the Silver Spring Moose Lodge stated that there have been no complaints about noise, traffic, or any other concern from neighbors. The use proposed by Inspire, LLP will be the same and/or less impactful on the community and neighbors than the

current use.

Access to the Property will be via an existing driveway and curb cut on Sandy Spring Road (MD RTE. 198). As noted in the traffic statement/ transportation study exemption letter, dated January 27, 2018 by the Mars Group, Traffic Engineering & Noise Consultants, included as Exhibit "H", the traffic associated with the use will be extremely limited, especially during peak hours, with only 4 trips projected during the AM peak and a maximum of 34 trips during the PM peak which is less than the threshold of 50 for any transportation mode. The majority of activity at the site will be in the evenings and weekends and not during peak hours.

All major utilities necessary to service the Property are immediately available and adequate. The lodge building is connected to public water and maintains a functioning septic system suitable for the existing use as the Silver Spring Moose Lodge. The site has not been required to connect to public sewer at this time. The Property is classified on Montgomery County Zoning (last amended: October 9, 2017 H-122) as Tier 1 with sewer existing in Woottens Lane. The Petitioner requests that it continue to use the two existing onsite septic tanks (one for the dwelling and one for the lodge) and that no sewer connection be required as the proposed use anticipates using less water than the current and or prior uses. If the site is developed in the future then at that time a connection to the existing sewer shall be evaluated.

Petitioner also requests that no additional storm water management be required with this change in use. The existing parking lot is located in the center of the site with the berm in the open space parcel acting as a barrier to water flowing toward Cedar Tree Drive. Greenspace at the front and rear of the site acts as a natural barrier to reduce water runoff from the site. The site is located over 1,500 ft. away from any navigable or sensitive waters of significant water flow and over 550 ft. away from what appears to be a contained man-made sediment pond. (See

Exhibit “E” Conditional Use Site Plan and Details) It is unlikely any water from the Property could travel across Sandy Spring Road to this pond.

III. PROPOSED OPERATIONS

It is anticipated that the proposed use will be open to students on a regular basis on Tuesday and Thursday evenings from 7:30 PM to 11:00 PM. On occasion conferences, seminars, and workshops will be held on Saturdays. The maximum class size is 48 students (note the average class size over the past year has been 28 students). The maximum number of participants on Saturdays is 75 attendees, yet most events are smaller. The four administrative staff will be the only regular occupants from 9 AM to 5 PM Monday through Friday. An additional four teaching staff will work during evening and weekend classes. No classes are planned for Sundays.

IV. MASTER PLAN CONFORMANCE

The Property lies within the boundaries of the Fairland Master Plan, approved and adopted in 1997 (the "Master Plan"), and is located near the "Burtonsville" area of that Plan. See sections of the Master Plan and amendments thereto attached as Exhibit "I". *“The Fairland Master Plan has community building as one of its key components; recognizing and reinforcing each community’s unique character and identity and ensuring that local centers serving the communities are attractive, functional, safe, and accessible.”* (Page xiv of the Fairland Master Plan - Plan Highlights – Communities and Centers.) The subject Property has been used for gathering and fraternity purposes for over 40 years. The new use shall continue to service the community and bring adult students together to build relationships. By permitting the Property to

be reused as a Conditional Use rather than developed into additional housing the unique character of the community will continue. The subject Property is located near the Burtonsville Crossroads area and on major route MD 198. While the Property is not deemed part of the Crossroads area, the general concepts for the area may be considered. In 2012, the County Council unanimously approved the Burtonsville Crossroads Neighborhood Plan with a “*vision to transform the existing crossroads into a complete community and provides recommendations for land use, transportation, environment and design that will enable the US29/MD198 commercial crossroads area to thrive.*” (See <http://montgomeryplanning.org/planning/communities/area-3/burtonsvillecrossroads/>)

V. CONDITIONS OF APPROVAL

PART 1:

Pursuant to the applicable Section 59-7.3.1.E.1. of the Zoning Ordinance, to approve a Conditional Use Application, the Hearing Examiner must find the use complies with the Necessary Findings such that the proposed development:

a. satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended;

In 1974, Case No. S-338, Petition of Calverton B.P.O. Elks Lodge (attached as Exhibit “F”), the County Board of Appeals approved a Petition for Special Exception pursuant to Section 59-146 of the Zoning Ordinance (Chap. 59. Mont. Co. Code 1972, as amended), to permit the construction and operation of a Service Organization (Private Club) at the subject Property. The

Board concluded that *“the Elks lodge is a fraternal organization which holds social and community activities for its members.”* (Exhibit “F”, p2). The Board found that the Special Exception was *“consistent with the Master Plan for Fairland-Beltsville;”* ... and that it would *“not have a detrimental effect on the use of the surrounding properties.”* (Exhibit “F”, p5) The hours of operation granted were from 11:00 AM to 12:00 Midnight, Monday through Saturday, and from 2:00 PM to 10:00 PM on Sunday. In addition, the Elks were allowed to keep the lodge open for special occasions until 1:00 AM. (Exhibit “F”, p2) As detailed below, Inspire, LLP intends to be open fewer hours than the existing Moose Lodge. The Property has remained as a non-residential use since 1974. While the proposed use as an Educational Institution (Private) differs from Service Organization (Private Club), both these non-residential uses improve the social interaction of the people who live in the community.

b. satisfies the requirements of the zone, use standards under Article 59-3; and to the extent the Hearing Examiner finds necessary to ensure compatibility, meets applicable general requirements under Article 59-6;

See PART 2 below. The proposed use satisfies the requirements of the zone, standards under Article 59-3 and where applicable requirements under Article 59-6.

c. substantially conforms with the recommendations of the applicable master plan;

As outlined in Section IV above, the Application substantially conforms with the goals and objectives of the Master Plan.

d. is harmonious with and will not alter the character of the surrounding neighborhood

in a manner inconsistent with the plan,

As discussed above, the new use will not alter the character of the surrounding neighborhood. Additionally, the traffic and parking impacts associated with the use are minimal.

e. *will not, when evaluated in conjunction with existing and approved conditional uses in any neighboring Residential Detached zone, increase the number, intensity or scope of conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area, a conditional use application that substantially conforms with the recommendations of a master plan does not alter the nature of the area;*

As discussed in Section IV above, the Conditional Use conforms to the recommendations of the Master Plan and, does not alter the nature of the area. The buildings and improvements which have been in existence since 1974 will be reused. One conditional use is being replaced by another similar conditional use such that the number and intensity of conditional uses will not increase.

f. *will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities. (If an approved adequate public facilities test is currently valid and the impact of the conditional use is equal to or less than what was approved, a new adequate public facilities test is not required....)*

There is no need for a new adequate public facilities test as result of this Petition. The existing facilities will remain adequate for the new use.

Both existing buildings are connected to public water and both buildings maintain separate septic tanks. The existing single family dwelling located at the front of the site has been vacant for approximately three years. It is serviced by public water and the well is no longer used. This structure remains connected to its existing septic tank as shown on the Conditional Use Plan. This septic tank is located behind the dwelling and is currently empty. At some time in the future and as finances allow, Inspire, LLP intends to renovate this structure into administrative offices for the four existing staff members.

Sometime prior to 1975, the barn structure(s), located in the rear of the Property was used as a laboratory for raising experimental animals and a second septic tank was installed. It appears the Property was improved in/or about 1965 with this additional septic tank near the rear barn structure and an excreta absorption system was constructed. (See Conditional Use Plan for location of second septic tank near entrance to the lodge building.) In Case No. S-338 (1974), Petition of the Calverton BPO Elks Lodge, the County Board of Appeals granted the Special Exception after finding the water and septic usage of the prior use as a laboratory was “far in excess” of the requirements for a lodge. (See Case No. S-338, page 4)

In 2009, the Moose Lodge purchased the property and added a walk-in freezer. The Moose Lodge was required to submit a plan and apply for a food license at that time. The Montgomery County, Maryland, Department of Permitting Services, Well and Septic Division approved this plan, inspected the Property, and found no evidence that the septic system was failing. (See Exhibits Q-1 through Q-4 for details of the septic tanks, absorption system, construction permits, food license, percolation tests, septic inspections and additional septic information.) The septic system for the laboratory and later the lodge was designed to be adequate for uses far more intensive than the new proposed use.

It appears that the prior owners of the Property made reasonable efforts to comply with applicable county septic regulations and to adequately service the sewage needs of prior uses. The current use as a Moose Lodge, with a bar and commercial kitchen, far exceeds the water usage of the proposed use as an educational facility. The septic system for the lodge is designed to more than adequate specifications and has no evidence of failure. Petitioner estimates that the existing septic usage by the Moose Lodge will be reduced by approximately ½ if the new proposed use is approved. (See Exhibit “Q-2” for septic usage capacity calculations and design specifications) The proposed downgrade in usage does not necessitate any changes to the septic tanks and system at this time.

In summary, the Property is not being developed and no subdivision plan is required to permit the change of use. Storm drainage is located in Cedar Tree Drive. Inspire, LLP signed the Forest Conservation Form (attached as Exhibit “N”) and certified that the application does not propose any clearing or grading activities on or near the Conditional Use site. The only change proposed at this time is the change in use. On April 25, 2018, The Department of Permitting Services, Water Resources Section Manager stated, “If your project does not include any soil disturbance there would be... no requirement to address storm-water management.” (See Exhibit “O”) In addition, a fire hydrant is located along the front property line along Sandy Spring Road. The proposed use will place minimal need on area schools, police and fire protection, and/or roads and storm drainage.

g. will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:

- i. *the use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;*
- ii. *traffic, noise, odors, dust, illumination, or lack of parking; or*
- iii. *the health, safety, or welfare of neighboring residents, visitors, or employees.*

The inherent characteristics of an Educational Institution (Private) are deemed consistent with uses in the R-200 zone. As discussed below, there are no non-inherent adverse effects that, standing alone or in combination with an inherent adverse effect, would cause any undue harm to the neighborhood. Since 1974 when the Special Exception was granted for the existing use, new homes have been built adjacent to the Property. The new use will in many ways be less impactful than the current use and will continue to protect and preserve the neighbors' peaceful enjoyment and economic value.

The existing improvements will remain and will continue to have no objectionable traffic, noise, odors, dust, or illumination impacts on the neighborhood. The neighbors have not complained to the current owner about traffic, lighting or noise. The parking lot is paved and does not produce dust. As stated above, the traffic impact is minimal. The use of the Property as a training center will not have any adverse effects on the health, safety, or welfare of neighboring residents, visitors, or employees in the area. The Conditional Use will grant neighbors access to classes that may directly benefit their daily lives in such areas as financial management or personal relationships. Exhibits "J-1 and J-2" attached to this Application lists the adjoining and confronting property owners as well as the civic and homeowners associations.

In addition, pursuant to the applicable Section 59-7.3.1.E.2., *any structure to be*

constructed, reconstructed or altered under a conditional use in a Residential Detached zone must be compatible with the character of the residential neighborhood.

The Petitioner will reuse the existing structures, and no exterior changes are planned at this time. As stated above the existing structures were built in the past with the surrounding area in mind in terms of scale, bulk, height, materials and textures, and therefore are compatible with the character of the residential neighborhood.

PART 2:

Requirements of R-200 Zone:

Educational Institutions (Private) are permitted as conditional uses in the R-200 zone and the proposed use conforms to the applicable requirements of the R-200 zone, as shown on the Conditional Use Site Plan (Exhibit "E").

Requirements of Article 59-3:

The Conditional Use also complies with the specific use standards and requirements of Section 59-3.4.5(C)(2) of the Zoning Ordinance pertaining to Educational Institution (Private) as follows:

a. The Educational Institution (Private) will not constitute a nuisance because of traffic, number of students, noise, type of physical activity, or any other element that is incompatible with the environment and character of the surrounding neighborhood.

The proposed use is minimal compared with the existing use that has been ongoing at the site since 1975. The number of students is small in relation to the size of the lot and the number of trips to the site will most likely be less than the current trips generated by the current user. The

proposed use will not constitute a nuisance and is compatible with the surrounding neighborhood. The level of noise generated by the workshops will be minimal.

b. The Educational Institution (Private) will be in a building compatible with the residential character of the surrounding neighborhood, and, if the Educational Institution (Private) is located on a lot of 2 acres or less, in either an undeveloped area or an area substantially developed with detached houses, the exterior architecture of the building must be similar to a detached house design, and at least comparable to any existing homes in the immediate neighborhood.

The parcel is over 2.8 acres and the current architecture is similar to residential construction with a one and one half story frame lodge structure and a single family residence. The existing buildings appear to date back to approximately 1927 and any renovation since that time has maintained the rural and residential character of the site.

c. The Educational Institution (Private) will not, in and of itself or in combination with other existing uses, affect adversely or change the present character or future development of the surrounding residential community.

The present character of the community will not be adversely affected. The proposed use will be more compatible with the community in some ways than the existing use. The hours of operation will not run as late in evening as the current use. No alcohol or food is intended to be served by Petitioner which is a change from the current use. The proposed use is intended to service the community of which it will be a part and will only improve the surrounding residential community.

d. The number of pupils per acre allowed to occupy the premises at any one time must be specified by the Hearing Examiner considering the following factors:

i. traffic patterns, including:

(a) impact of increased traffic on residential streets;

(b) proximity to transit services, arterial roads, and major highways; and

(c) provision of measures for Transportation Demand Management in

Chapter 42 (Section 42A-21).

ii. adequacy of drop-off and pick-up areas for all programs and events, including on-site stacking space and traffic control to effectively deter vehicle queues on adjacent streets;

iii. adequacy of student and visitor parking; and

iv. noise or type of physical activity.

The number of students proposed by Inspire, LLP is less than the number of Elks/Moose for which the parking and on-site traffic patterns were designed. The existing parking facilities are more than enough to adequately prevent any queuing on adjacent streets. The proposed training center is for adults who drive themselves and do not require pickup and drop off. No queuing is anticipated for the proposed use.

e. Density greater than 87 pupils per acre may be permitted only where the Hearing Examiner finds that:

i. the program of instruction, special characteristics of students, or other circumstances justify reduced space and facility requirements;

- ii. the additional density will not adversely affect adjacent properties; and*
- iii. additional traffic generated by the additional density will not adversely affect the surrounding streets.*

The proposed use contemplated by Inspire, LLP is currently less than 75 students at any one time which is well below the density permitted of 87 pupils per acre (or 87×2.859 acres = 248 students).

f. Outdoor recreation facilities are screened from abutting residential properties under Division 6.5.

Inspire, LLP intends to hold classes inside the lodge building. No outdoor recreation facilities are planned at this time. However, Inspire, LLP would like to reserve the right to hold workshops outside on occasion.

g. Any lighting associated with outdoor recreation facilities must satisfy Section 6.4.4.

No outdoor recreation facilities are planned. No new lighting is planned at this time.

h. If an Educational Institution (Private) operates or allows its facilities by lease or other arrangement to be used for: (i) tutoring and college entrance exam preparatory courses; (ii) art education programs; (iii) artistic performances; (iv) indoor and outdoor recreation programs; or (v) summer day camps, the Hearing Examiner must find, in addition to the other required findings for the grant of a conditional use, that the activities in combination with other activities of the institution, will not have an adverse effect on the surrounding neighborhood due to traffic, noise, lighting, or parking, or the intensity, frequency, or duration of activities. In

evaluating traffic impacts on the community, the Hearing Examiner must take into consideration the total cumulative number of expected car trips generated by the regular academic program and the after school or summer programs, whether or not the traffic exceeds the capacity of the road. A transportation management plan that identifies measures for reducing demand for road capacity must be approved by the Hearing Examiner.

The Transportation Study (Exhibit “H”) incorporated all the classes and workshops offered by Inspire, LLP and shows that the number of trips will be minor for the current road conditions and access to the property. The site provides more than adequate parking for the proposed use.

i. *The Hearing Examiner may limit the number of participants and frequency of events.*
(Legislative History: Ord. No. 18-08, § 4.)

The number of participants and frequency of events proposed by Petitioner are minimal in relationship to the size of the Property and existing improvements.

General Development Requirements Article 59-6:

Petitioner is requesting a change in use with no exterior changes, development, subdivision, or construction at this time. The existing use has been ongoing since 1974, therefore, many of the requirements of Article 59-6 may not apply and/or will be unduly burdensome for the Petitioner to implement. The new use is less impactful than the current use with reduced hours of operation and the elimination of alcohol and food services. The existing parking, loading, landscaping, screening, and lighting are adequate and have not been a concern for neighbors with the current use. The new use aims to comply with any applicable

requirements for conditional uses in residential zones as discussed below:

Section 6.2.5.K. Any off-street parking facility for a conditional use that is located in a Residential Detached zone where 3 or more parking spaces are provided must satisfy the following standards:

1. *Location. Each parking facility must be located to maintain a residential character and a pedestrian-friendly street. As stated above, the existing parking is focused in the middle of the site away from the adjoining residential uses and away from Sandy Spring Road and Cedar Tree Drive.*
2. *Setbacks. In the Residential-200 Zone (R-200) as detailed in Section 59.4.4.7 the front setback is 40 ft; rear setback is 30 ft; side setback is 12 ft.*
 - a) *The minimum rear parking setback equals the minimum rear setback required for the detached house. The rear parking setback is satisfied at a distance over 200 ft. from the parking to the rear property line.*
 - b) *The minimum side parking setback equals 2 times the minimum side setback required for the detached house. Inspire, LLP shall park cars more than 24 ft. from the side property lines.*

Section 6.4.4.E. Outdoor lighting for a conditional use must be directed, shielded, or screened to ensure that the illumination is 0.1 foot candles or less at any lot line that abuts a lot with a detached house building type, not located in a Commercial/Residential or Employment zone.

Trees and bushes on the site screen lighting from neighboring residential uses.

The existing lighting on the site is minimal. The majority of the lighting is directed

toward the parking lot on the south of the lodge building and/or away from the residential neighbors.

SUMMARY:

In summary, the proposed use appears to be compatible with the vision and intent of the County Planners. By granting this Conditional Use, the acreage will not be developed at this time into the approximately six residential units that will be permitted as of right. One of the goals of the Master Plan is to keep residential densities low to protect the Patuxent Watershed. The Conditional Use will enable the parcel to service the community as it stands today without development. Although the parcel is not specifically mentioned in the Master Plan, it is likely that this parcel is better suited for a non-residential or light commercial use due to its location along Sandy Spring Road. The proposed use does not conflict with commercial activity at nodes or with nearby residential uses. Uses on the opposite side of Sandy Spring Road are not residential. Strict neighborhood coherence is difficult to achieve due to prior development that has occurred over many years. The proposed use on this parcel fits with the surrounding area. Petitioner requests to change the use from the fraternity to the training center without any new development requirements.

EXHIBITS

In accordance with the requirements set forth in Section 59-7.3.1.B of the Zoning Ordinance, the following is included as part of the Application : Completed Conditional Use Application by Inspire, LLP

- 1) Montgomery County Tax Map showing the Property (Exhibit "A")
- 2) A copy of the newly completed Survey and Legal Description (Exhibit "B")
- 3) Certified Zoning Map of the Property (Exhibit "C")
- 4) Letter of Authorization from Property Owner authorizing Inspire, LLP to file the Application (Exhibit "D")
- 5) Conditional Use Site Plan and Details prepared by Sill Engineering Group, LLC (1 sheet with site and adjacent area map and existing conditions (Exhibit "E")
- 6) 1974, Case No. S-338, Petition of Calverton B.P.O. Elks Lodge (attached as Exhibit "F")
- 7) Photos of the existing buildings and conditions on the site (Exhibit "G" #1-19)
- 8) Transportation Study Exemption Letter prepared by the Mars Group, Inc. (Exhibit "H")
- 9) Applicable Sections of the Approved and Adopted Fairland Master Plan (1997) and any amendments thereto (Exhibit "I")
- 10) List of Adjoining and Confronting Property Owners and Local Citizens Associations (Exhibit "J-1" and "J-2")
- 11) Resume of Ms. Joanne Carey-Vert, ASLA, from the Sill Engineering Group, LLC (Exhibit "K")
- 12) Resume of Mr. Paul Sill, P.E., L.E.E.D., A.P., from the Sill Engineering Group, LLC (Exhibit "L")
- 13) Resume of Monty Rahman, P.E., PhD. Principal of the Mars Group, Inc (Exhibit "M")

- 14) Forest Conservation Form Signed by Petitioner (Exhibit “N”)
- 15) DPS Water Resources Section Comment 4-5-18 (Exhibit “O”)
- 16) SDAT Printout showing structure built in 1927 (Exhibit “P”)
- 17) Septic Documentation showing two septic tanks as well as history of septic inspections and permit approvals and calculations (Exhibits “Q” #1-4)

Petitioner anticipates having the following witnesses appear at the public hearing:

- a) Ms. Sandra Ventura, from Inspire, LLP (and/or another or other representative(s) of Inspire, LLP), will testify with respect to the history and mission of Inspire, LLP, the need for the Conditional Use, and the operational characteristics of the proposed use.
- b) Ms. Joanne Carey-Vert, ASLA, from the Sill Engineering Group, LLC, will testify as an expert landscape architect/engineer. A copy of Ms. Carey-Vert's resume is attached (Exhibit "K"). Ms. Carey-Vert will address the design and scale of the existing improvements and the architectural compatibility of the proposed improvements with the surrounding neighborhood. Ms. Carey-Vert will address conformance of the Application with the Fairland Master Plan and the Montgomery County Zoning Ordinance.
- c) Mr. Paul Sill, P.E., L.E.E.D., A.P., from the Sill Engineering Group, LLC, will testify as an expert in civil engineering. A copy of his resume is attached (Exhibit "L"). Mr. Sill will address engineering matters related to the Application, including utility adequacy and design, storm water management, site drainage, site access and the limited effect the Application will have on adjacent properties and the surrounding community.
- d) Mr. Monty Rahman, P.E., PhD., from the Mars Group, Inc., will testify as an expert in transportation planning/engineering concerning the transportation impacts of the Application. A copy of his resume is attached (Exhibit "M"). Mr. Rahman's conclusion that the Conditional Use will have a minimal impact on area traffic is included in the Transportation Study Exemption Statement included with this Application (Exhibit "H").

In addition to the foregoing, Inspire, LLP reserves the right to call additional witnesses and submit such other reports and exhibits as it deems necessary. Petitioner anticipates it will take approximately one hour to present its case-in-chief.

Respectfully submitted,

Hofmeister & Breza

By: 

Andrew Winick, Esq.
11019 McCormick Road
Hunt Valley, MD 21031
(410) 832-8822
Attorney for Applicant

Exhibit List (5-17-18) Inspire, LLP Conditional Use Application

- 1) Montgomery County Tax Map showing the Property (Exhibit "A")
- 2) A copy of the newly completed Survey and Legal Description (Exhibit "B" #1-2)
- 3) Certified Zoning Map of the Property (Exhibit "C")
- 4) Letter of Authorization from Property Owner authorizing Inspire, LLP to file the Application (Exhibit "D")
- 5) Conditional Use Site Plan and Details prepared by Sill Engineering Group, LLC (1 sheet) with site and adjacent area map and existing conditions (Exhibit "E")
- 6) 1974, Case No. S-338, Petition of Calverton B.P.O. Elks Lodge (attached as Exhibit "F")
- 7) Photographs of the existing buildings/conditions on the site including aerial photos, lighting, landscaping, ingress and egress, buildings, and storm drains (Exhibit "G" #1-19)
- 8) Transportation Study Exemption Letter prepared by the Mars Group, Inc. (Exhibit "H")
- 9) Applicable Sections of the Approved and Adopted Fairland Master Plan (1997) and amendments thereto including the Burtonsville Crossroads Neighborhood Plan (2012) (Exhibit "I" #1-3)
- 10) List of Adjoining and Confronting Property Owners and Local Citizens Associations (Exhibit "J" #1-2)
- 11) Resume of Ms. Joanne Carey-Vert, ASLA, from the Sill Engineering Group, LLC (Exhibit "K")
- 12) Resume of Mr. Paul Sill, P.E., L.E.E.D., A.P., from the Sill Engineering Group, LLC (Exhibit "L")
- 13) Resume of Monty Rahman, P.E., PhD. Principal of the Mars Group, Inc (Exhibit "M")
- 14) Forest Conservation Form Signed by Petitioner (Exhibit "N")
- 15) DPS Water Resources Section Comment 4-25-18 (Exhibit "O")
- 16) SDAT Printout showing structure built in 1927 (Exhibit "P")
- 17) Septic Documentation showing two septic tanks as well as history of septic inspections and permit approvals (Exhibits "Q" #1-4)
 - a. Exhibit Q-1 Septic Documentation
 - b. Exhibit Q-2 Septic Calculations
 - c. Exhibit Q-3 History of Septic System based on Septic Documentation
 - d. Exhibit Q-4.1 Letter from Moose Lodge re Septic System functioning (Exhibit Q-4.2 Sewer Location)

Montgomery County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **05** Account Number: **00254623**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

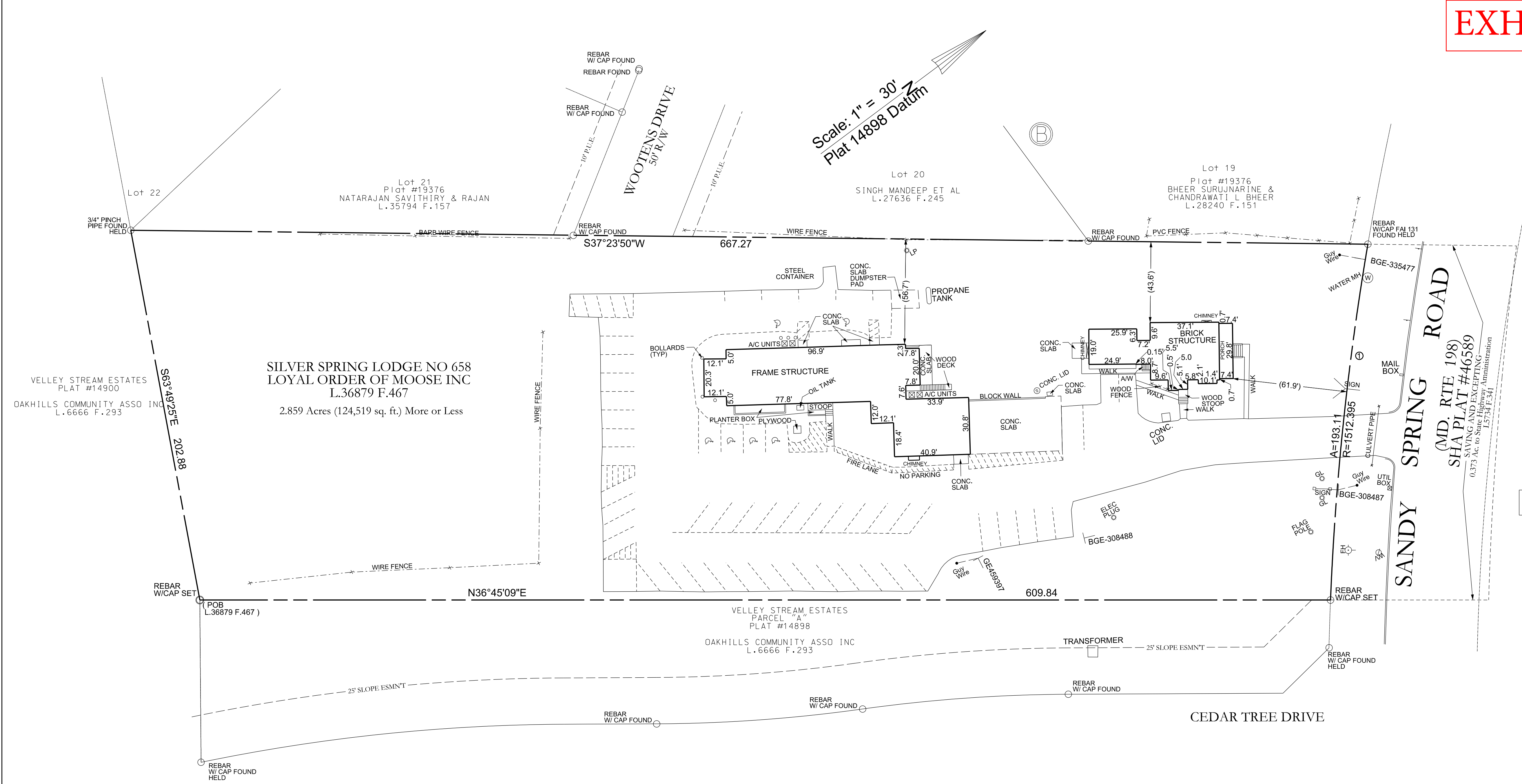
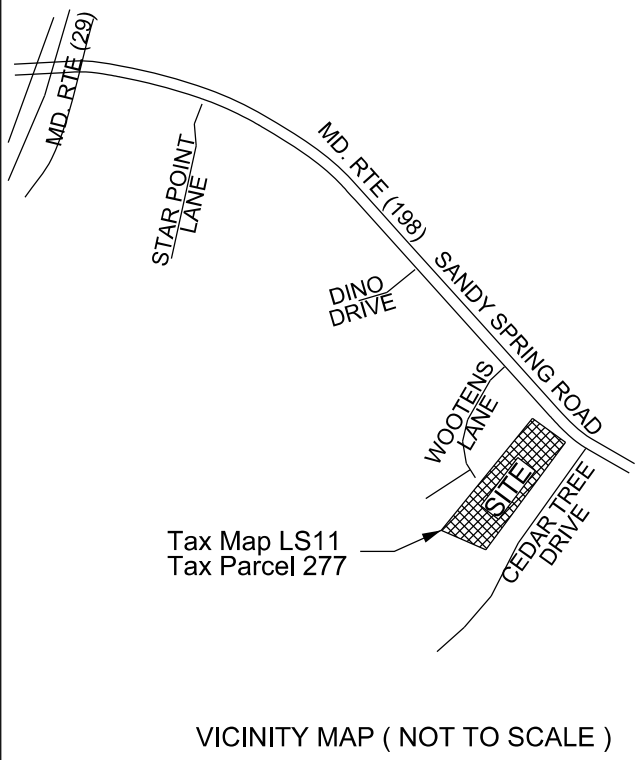
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

Real Property Data Search

Search Result for MONTGOMERY COUNTY

| View Map | View GroundRent Redemption | View GroundRent Registration |
|--|--|---|
| Account Identifier: District - 05 Account Number - 00254623 | | |
| Owner Information | | |
| Owner Name: | SILVER SPRING LODGE NO 658 LOYAL ORDER OF MOOSE INC | Use: EXEMPT COMMERCIAL Principal Residence: NO |
| Mailing Address: | 4343 SANDY SPRING RD BURTONSVILLE MD 20868- | Deed Reference: /36879/ 00467 |
| Location & Structure Information | | |
| Premises Address: | 4343 SPENCERVILLE RD SPENCERVILLE 20868-0000 | Legal Description: SNOWDENS MANOR ENLARGED |
| Map: | Grid: | Parcel: |
| LS11 | P277 | |
| Sub District: | Subdivision: | Section: |
| | 0001 | |
| Block: | Lot: | Assessment Year: |
| | | 2017 |
| Plat No: | Plat Ref: | |
| | | |
| Special Tax Areas: | Town: | NONE |
| | Ad Valorem: | |
| | Tax Class: | 42 |
| Primary Structure Built | Above Grade Living Area | Finished Basement Area |
| 1927 | 1544 | |
| Property Land Area | County Use | |
| 2.9700 AC | 111 | |
| Stories | Basement | Type |
| | | FRATERNITY HOUSE |
| Exterior | Full/Half Bath | Garage |
| | | |
| Last Major Renovation | | |
| | | |
| Value Information | | |
| | Base Value | Value |
| | | As of 01/01/2017 |
| Land: | 155,200 | 155,200 |
| Improvements | 192,500 | 211,800 |
| Total: | 347,700 | 367,000 |
| Preferential Land: | 0 | |
| | | Phase-In Assessments |
| | | As of 07/01/2017 |
| | | As of 07/01/2018 |
| | | 354,133 |
| | | 360,567 |
| | | 0 |
| | | 0 |
| Transfer Information | | |
| Seller: WASHINGTON-ROCKVILLE LODGE NO 15 | Date: 04/02/2009 | Price: \$1,325,000 |
| Type: ARMS LENGTH IMPROVED | Deed1: /36879/ 00467 | Deed2: |
| Seller: CALVERTON B P O ELKS LODGE | Date: 03/24/2009 | Price: \$0 |
| Type: NON-ARMS LENGTH OTHER | Deed1: /00000/ 00000 | Deed2: |
| Seller: | Date: | Price: |
| Type: | Deed1: | Deed2: |
| Exemption Information | | |
| Partial Exempt Assessments: | Class | 07/01/2017 |
| County: | 900 | 354,133.00 |
| State: | 900 | 354,133.00 |
| Municipal: | 900 | 0.00 0.00 |
| Tax Exempt: | Special Tax Recapture: | |
| Exempt Class: | NONE | |
| Recorded Application Information | | |

EXHIBIT "B-1"



| CURVE DATA | | | |
|--------------|---------|-----------|---------------------|
| RADIUS | ARC | CHORD | BEARING |
| ① 1,512.395' | 193.11' | 07°18'57" | 192.98' N47°15'09"W |

NOTES:
EXHIBIT "A" LEAGAL DESCRIPTION HEREON ATTACHED

No title report was furnished.
This property is subject to all applicable easements, rights-of-way, covenants and those documents which the undersigned has not been provided. Dimensions shown within " () " are represented to the accuracy of plus or minus 0.3' Foot.

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF THAT THIS PLAT WAS PREPARED BY MYSELF OR UNDER MY DIRECT SUPERVISION AND IN COMPLIANCE WITH COMAR (09.13.06.12) MARYLAND MINIMUM STANDARDS OF PRACTICE.

Name: David D. Kinman Date: February 3, 2018
Title: Professional Land Surveyor MD.Reg #: 21415 (Expires 6/8/2016)



| | | |
|--|---|---|
| Eyott, Inc. 7705 Pheasant Ridge Dr Mount Airy, MD. 21771 Phone: (240) 415-3000 eFax: (909) 259-3332 www.eyott.com | Boundary Survey SILVER SPRING LODGE NO 658 LOYAL ORDER OF MOOSE INC 4343 SANDY SPRING RD BURTONSVILLE MD 20868 Montgomery County Maryland Election District - 05 | Drawn By: DK Scale: 1" = 30' |
| | | Field Survey Date: |
| | | Liber: 36879 Folio: 467 Tax ID#: 05-10254623 |
| | | |

EXHIBIT "A"

**Legal Description
For the Property of the
Silver Spring Lodge No. 658, Loyal Order of Moose, Inc., a Maryland Corporation
Liber 3879 Folio 467**

BEING the property of the Silver Spring Lodge No. 658, Loyal Order of Moose, Inc., a Maryland Corporation. That was conveyed from Washington-Rockville Lodge, No. 15, Benevolent and Protective Order of Elks of the United States of America, Inc., successor by merger of the Burtonsville Benevolent & Protective Order of Elks #2465, Inc., a Maryland Corporation. And recorded among the land records of Montgomery County Maryland, in a deed dated March, 26, 2009 found at Liber 3879 and Folio 467. And more particularly described

BEGINNING For the Same at capped rebar set at the beginning of 1st N 38°45' E, 702.48 foot Line of said deed. And also being at the beginning of the N 36°45'09" E, 609.84 foot line of Plat No. 14898, As recorded among the Plat records of Montgomery County Maryland. And thence binding on the first line of said deed and the N 36°45'09" E, 609.84 foot line of Plat No. 14898, The following four (4) courses as now Surveyed in the datum of Plat #14898.

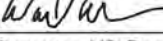
- (1) N 36°45'09" E, 609.84 feet to a Capped Rebar Set at the end of the plat 14898 Line.
And on the 1st line of said deed at the South edge of the Right of Way for Sandy Spring Road (MD #198) as described Saving & Excepting in said deed And referenced to Liber 5734 Folio 341. thence with said Right of Way.
- (2) Along an arc to the right 193.11 feet, having a radius of 1512.395 feet.
the chord of which is N 47°15'14" W, 192.98 feet to a Capped Rebar Found on the 3rd Line of said deed at the beginning of the S 37°21'52" W, 667.31 foot Line of Plat #19376. thence binding on and with the 3rd line of said deed And the Plat #19376 Line.
- (3) S 37°23'50" W, 667.27 feet to a 3/4" Pinched Pipe found at the end of the the 3rd line of said deed and the end of the S 37°21'52" W, 667.31 foot Line of Plat #19376, and on the S 66°29'51" E, 373.61 foot line of Plat #14900. thence binding on and with the 4th line of said deed And the Plat #14900 Line.
- (4) S 63°49'25" E, 202.88 feet to PLACE OF BEGINNING.

The above described parcel contains 2.859 acres or 124,519 sq. ft. more or less
And is the remainder of said deed minus the SAVING AND EXCEPTING to State Highway Administration dated June 25, 1981 recorded in Liber 5734 at Folio 341
No title report was furnished.

This property is subject to all applicable easements, rights-of-way, covenants and those documents which the undersigned has not been provided.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF THAT THIS DOCUMENT WAS PREPARED BY MYSELF OR UNDER MY DIRECT SUPERVISION AND IN COMPLIANCE WITH COMAR (09.13.06.12) MARYLAND MINIMUM STANDARDS OF PRACTICE.

Name: David D. Kinman  Date: February 3, 2018
Title: Professional Land Surveyor MD.Reg #: 21415 (Expires 6/8/2016)



Eyott, Inc.
7705 Pheasant Ridge Dr
Mount Airy, MD. 21771



Phone: (240) 415-3000
eFax: (909) 259-3332
www.eyott.com

Boundary Survey
**SILVER SPRING LODGE NO 658
LOYAL ORDER OF MOOSE INC**

4343 SANDY SPRING RD
BURTONSVILLE MD 20868

Montgomery County Maryland Election District - 05

Drawn By: DK

Sheet Size: 8-1/2 x 14

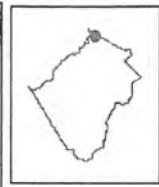
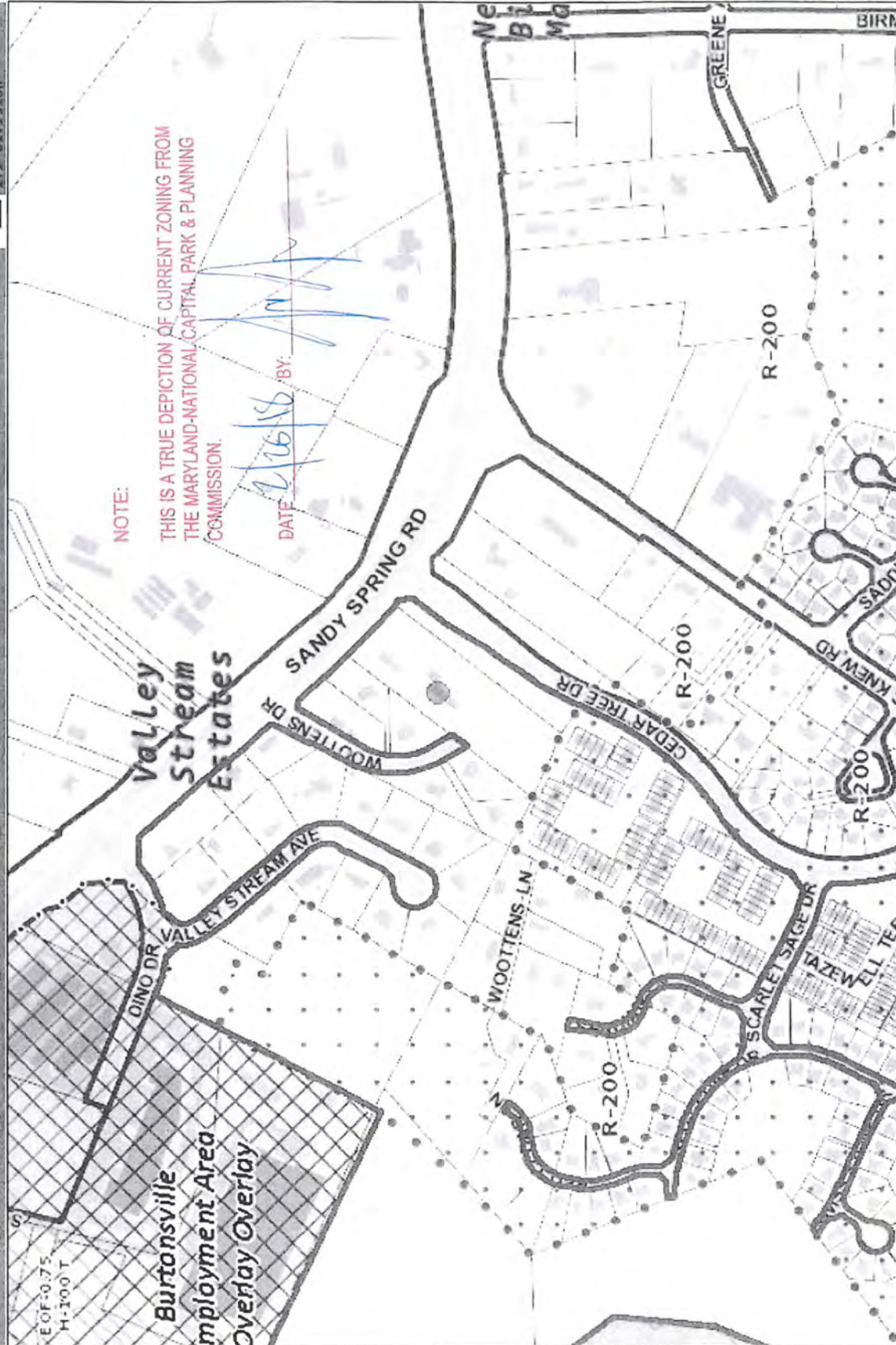
Liber.36879 Folio.467

Tax ID#: 05-00254623

Montgomery County Zoning

Date: 2/26/2018

Montgomery County
Planning Department
ZTT Division



1 inch = 518 feet

| | | | | | |
|--------------------|---|-------------------------|---------------------|---------------------------|------------------------|
| Account # | 00254623 | Parking District | N/A | Bike/Ped Priority Area | N/A |
| Address | 4343 SPENCERVILLE RD SPENCERVILLE, 20868 | CBD | N/A | Urban Renewal Area | N/A |
| Zone | R-200 | Special Protection Area | N/A | Metro Station Policy Area | N/A |
| Overlay Zone | N/A | Urban District | N/A | Priority Funding Area | Yes |
| TDR Overlay Zone | N/A | Enterprise Zone | N/A | Septic Tier | Tier 1: Sewer existing |
| Landuse | Single Family Detached | Arts & Ent. District | N/A | Municipality | N/A |
| Parcel, Lot, Block | P277, N/A, N/A | Special Tax District | N/A | Master Plan | FAIRLAND MASTER PLAN |
| | | Legal Description | SNOWDEN MANOR ENLAR | Historic Site/District | N/A |

Silver Spring Lodge No. 658 Loyal Order of Moose, Inc.
4343 Sandy Spring Road
Burtonsville, Maryland 20866

March 22, 2018

Ms. Sandra Ventura, Authorized Agent
Inspire, LLP
14700 Sweitzer Lane
Laurel, Maryland 20707

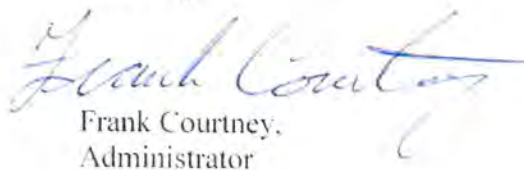
Re: Property: 4343 Sandy Spring Road, Burtonsville, Maryland
Seller: Silver Spring Lodge No. 658 Loyal Order of Moose, Inc.
Purchaser: Inspire, LLP
Conditional Use Application to Operate as an Educational Institution (Private)

Dear Ms. Ventura:

This letter is to advise you that permission has been granted for you to submit a Conditional Use Application to operate as an education institution (private) to Montgomery County for the above property described in the Purchase and Sale Agreement dated December 16, 2017.

Please contact us if you need any additional information.

Sincerely,


Frank Courtney,
Administrator

COUNTY BOARD OF APPEALS
For
MONTGOMERY COUNTY

Case No. S-338

PETITION OF CALVERTON B.P.O. ELKS LODGE
(Hearing held September 5, 1974)

OPINION OF THE BOARD

This proceeding is on a petition for a Special Exception pursuant to Section 59-146 of the Zoning Ordinance (Chap. 59. Mont. Co. Code 1972, as amended) to permit the construction and operation of a private club (service organization). The subject property is Parcel 277, Liber 2637, Folio 150, at 4343 Sandy Spring Road, Burtonsville, Maryland, in an R-200 Zone.

Decision: Special Exception granted.

Location of Subject Property and Nature of Request:

The applicant, Calverton B.P.O.E., Lodge No. 2465, Inc., requests a special exception for a service organization (Private Club). The property in question contains approximately 3.343 acres along the south side of Sandy Spring Road (Route 198) and approximately 500 feet east of McKnew Road. There is approximately 200 feet of frontage along the south side of Sandy Spring Road. The subject property is presently improved by a two-story, block barn; a two-story brick house; two-story and one-story block and brick buildings; a two-story wooden stable; and a wooden shed. The property is located in a rural residential area and is surrounded by a two-story house on the north, across Sandy Spring Road, a one-story single-family residence and undeveloped, vacant property on the east and south. There is a subdivision of 17 single-family homes approximately 200 feet west of the property.

Requirements of Zoning Ordinance:

In order to grant the proposed Special Exception, the Board is required to find that the proposed project meets both the general requirements governing the grant of special exceptions as enumerated in Section 59-123, and the particular requirements for the proposed use as set forth in Section 59-146. Section 59-123 requires that the Board find that the proposed use:

1. Will be consistent with the general plan for the

*Non Profit
Exception
white-up*

physical development of the district, including any master plan or portion thereof adopted by the Planning Commission;

2. Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and number of similar uses;

3. Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity;

4. Will have no detrimental effect on vehicular or pedestrian traffic;

5. Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area;

6. Will not, in conjunction with the existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public improvements. Section 59-146 requires the Board to find that the proposed use will not constitute a nuisance because of noise, traffic, number of people or type of physical activity. (Provisions for food, refreshments and/or entertainment for club members and guests are also allowed in connection with such uses.)

Applicants' proposal (and how it will be implemented):

The Elks Lodge is a fraternal organization which holds social and community activities for its members. Applicant intends to use the subject facilities to hold its meetings and various functions.

It requests to be allowed to keep its lodge open from 11 a.m. to 12 midnight, Monday through Saturday, and from 2 p.m. to 10 p.m. on Sunday. It additionally requests to be allowed to keep the lodge open for special occasions until 1 a.m.

Approximately 22 to 25 members attend regular meetings,

while a special event may draw as many as 40 to 50 members. Womens auxiliary meetings usually attract 10 to 12 ladies. The applicant stated that it is willing to limit the maximum number of persons in attendance on the premises to the maximum allowed by the fire marshal.

The applicant intends to use the buildings on the subject property as follows:

1. 2 Story, Block Barn as shown on Exhibit 1 will be used as main lodge for meetings, social events, ceremonies, etc. Second floor to be used for storage only.
2. 2 Story & 1 Story Brick and Block Buildings as shown on Exhibit 1 to be used as secondary meeting rooms and storage.
3. 2 Story Wooden Stable as shown on Exhibit 1 to be used for cover from the elements for any outdoor meetings or activities.
4. 2 Story Brick House as shown on Exhibit 1 to be used as living quarters for Manager and his family.

Harmony with the neighborhood; Effect on surrounding properties:

The property is located in a semi-rural area in which the proposed use appears to be in harmony with the general neighborhood. The Montgomery County Planning Board's report indicates that the use would be compatible with surrounding uses. The applicant intends to improve the subject lot as follows:

1. Remove wooden shed.
2. Move driveway so as to provide ingress and egress to Sandy Spring Road at separate points as shown on Exhibit 5A.¹

¹. This particular proposal has been rejected by the State Highway Administration, which by letter of September 24, 1974 recommended two alternate schemes for consideration.

3. Provide a blue stone gravel-covered parking lot at rear of 2-story block barn as shown on Exhibit 5A, to accommodate 70-75 cars.
4. Restore landscaping, clear excess underbrush and plant new shrubs around the exterior of the 2-story block barn.
5. Trim eight foot tall row of forsythia along the western boundary line and add a row of 6-foot tall pine trees along the remainder of this property line.
6. Retain evergreen trees along boundary line adjacent to unimproved property to the south.

Traffic:

Sandy Spring Road is a narrow, winding two-lane State Highway. It is scheduled for widening in 1975 to a four-lane divided highway. Testimony indicated that present traffic volumes on Sandy Spring Road do not appear to overburden the road, nor would the additional vehicle traffic generated by the proposed private club overburden the facility. The Planning Board notes, however, that shrubbery on the Applicants' property blocks the view of drivers exiting into Sandy Spring Road, and suggests that numbers of members attending the Lodge be limited until the road-widening eliminates this hazard. They also suggest a revised internal traffic circulation pattern. The State Highway Administration has proposed alternate access driveway plans. The applicant must obtain the approval of the State Highway Administration for construction of entrances to the new highway.

The Board finds that the proposed use, subject to the approval of the State Highway Administration, will not overburden or have detrimental effect on vehicular or pedestrian traffic.

Sewage:

The subject property has an existing septic system. Applicant contends that this septic system will be more than sufficient to accommodate the lodge's needs. The subject property was previously used as a laboratory for raising experimental animals. Applicant testified that the amount of water and sewage used by the prior owner was far in excess of the requirements of the lodge. There

are two bathrooms in the main lodge building. No kitchen facilities exist in this building at present.

Parking:

Applicant intends to provide parking for approximately 70-75 cars on the property. The parking will be designed to retain the existing shrubbery.

Findings:

The Board finds that the Calverton B.P.O. Elks Lodge is a service organization seeking to obtain by special exception a private clubhouse facility in which to hold its meetings and to accommodate social get-togethers for its members. The Board also finds that the proposed special exception will be consistent with the Master Plan for Fairland-Beltsville; that it will use an existing building; that it will not have a detrimental effect on the use of the surrounding properties; that the proposed use will not, in conjunction with the existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public improvements; that, as conditioned herein, the proposed parking will be adequate for the proposed use, and traffic would not be anticipated to be a hazard in front of the subject property; and that there has been no evidence presented to indicate that the proposed use will adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area.

Accordingly, the requested special exception is granted to the petitioners only, subject, however, to the following conditions:

1. The applicant shall implement its plans as stated in proposals one through six on page three and four of this opinion (excepting proposal #2).
2. The applicant's uses of the buildings shall be limited to those uses proposed on page three of this decision, and that occupancy shall be limited according to the requirements of the Fire Marshal.
3. Construction of any outdoor recreational facilities shall be subject to further approval of this Board.

4. The applicant shall obtain a permit from the Health Department for use of the septic system.
5. The applicant be permitted to hold functions Monday through Saturdays from 11:00 a.m. to midnight and on Sunday from 2:00 p.m. to 10:00 p.m. Major functions shall be held no later than 1:00 a.m.
6. No loud speakers or amplifier sound system shall be allowed outside of the building, and no noise from the lodge shall be audible beyond the applicants' property lines.
7. The applicant's landscaping and lighting plan shall be subject to approval by the Montgomery County Planning Board.
8. The club grounds should be lighted with mushroom-type lights with standards not exceeding 10 feet. Prior to applying for an occupancy permit, the applicant shall submit to the Board of Appeals for approval a lighting plan consistent with the report of the Maryland National Capital Park and Planning Commission (Exhibit No. 15-b) and the instand condition.
9. The applicant shall remove any shrubbery which blocks visibility from its exit to Sandy Spring Road.
10. Until Route 198 improvement is completed the applicant shall provide marshals to conduct traffic to and from the subject site for events where more than 40 members are expected to attend.
11. The location of driveway entrance and exit shall be subject to approval of the State Highway Commission.
12. The applicant shall submit its proposed sign to the Sign Review Board for its approval.
13. Parking shall be allowed only on the applicant's property and not on any of the adjacent roads.
14. That granting of this special exception will be subject to review by the Board one year after grant and each three years thereafter, said review to be initiated by appropriate resolution of the Board.

The Board adopted the following Resolution:

"Be it Resolved by the County Board of Appeals for Montgomery

County, Maryland, that the opinion stated above be adopted as the Resolution required by law as its decision on the above-entitled petition."

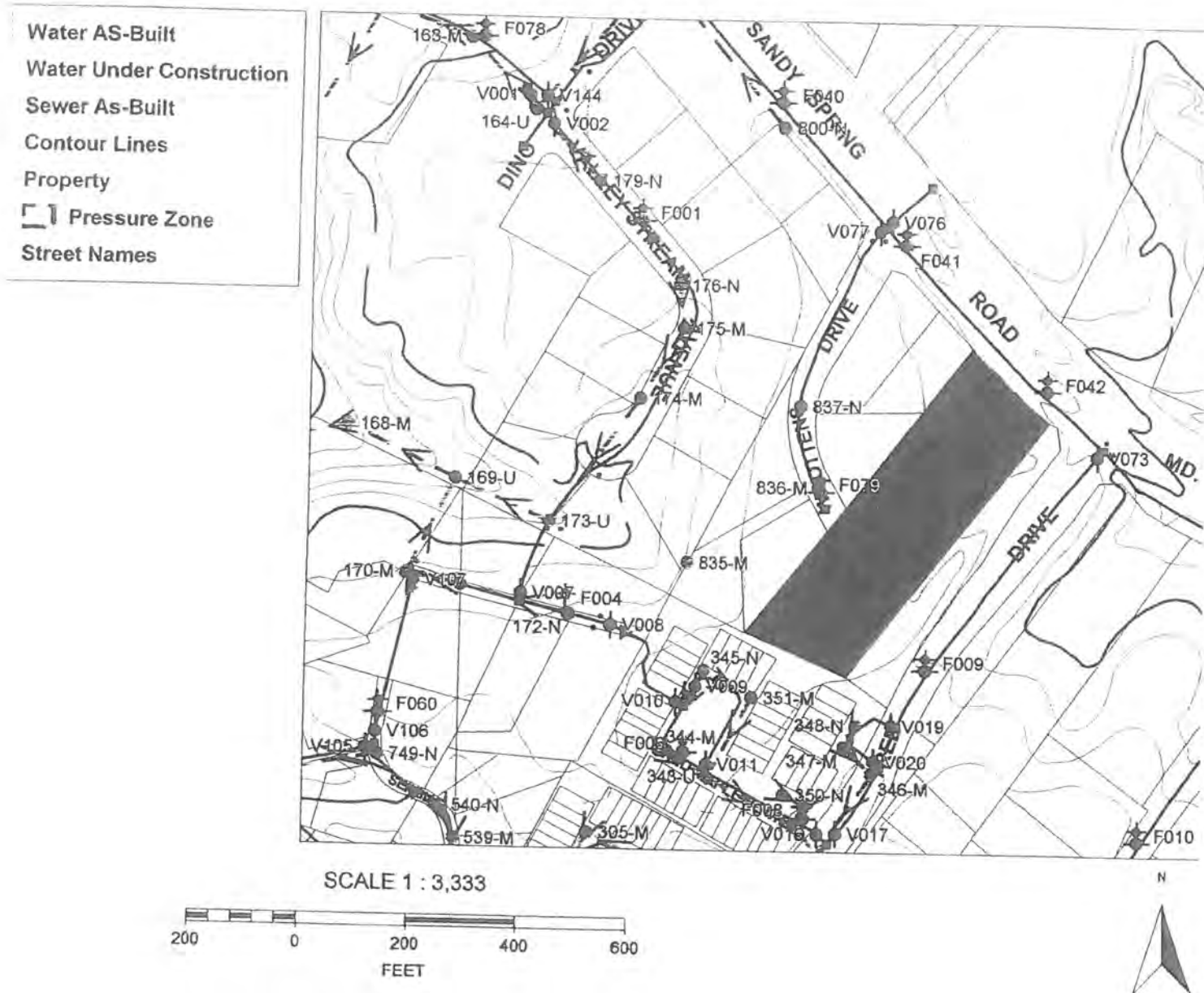
The foregoing Resolution was proposed by Mr. Sheldon P. Schuman and concurred in by Mrs. Beverly S. Pearson, Chairman, Mrs. Shirley S. Lynne, Mrs. Marjorie H. Sonnenfeldt and Mr. Joseph E. O'Brien, Jr.

I do hereby certify that the foregoing Minutes were officially entered in the Minute Book of the County Board of Appeals this 16th day of October, 1974.

Dollie M. Lytle
Clerk to the Board

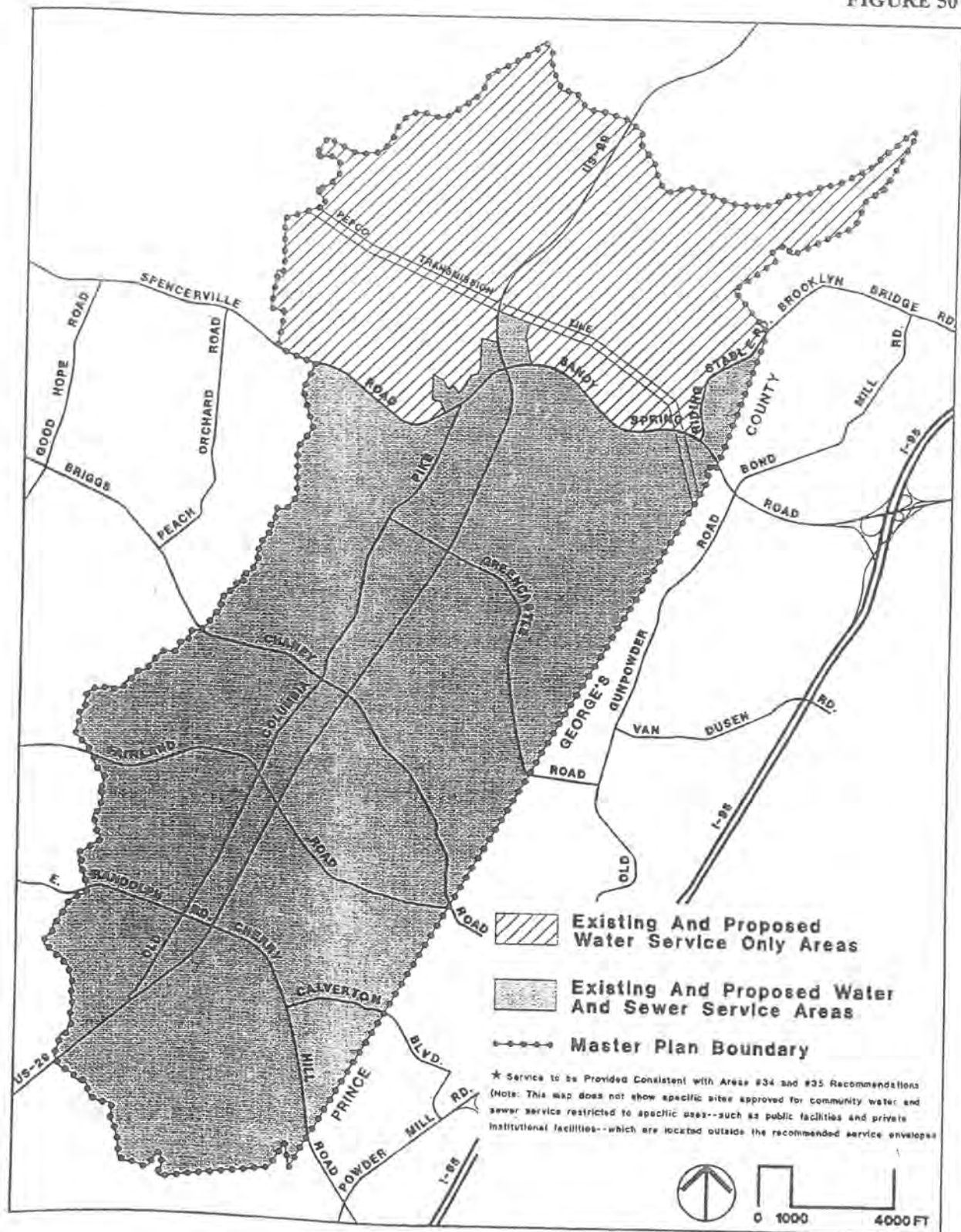
NOTE: See Section 59-6.(c) of the Zoning Ordinance regarding the 12-months' period within which the right granted by the Board must be exercised.

WES3C Intranet GIS



WATER AND SEWER SERVICE AREAS

FIGURE 50



Click here for a plain text ADA compliant screen.

Maryland Department of Assessments and Taxation
MONTGOMERY COUNTY
Real Property Data SearchGo Back
View Map
New Search
Ground Rent

Account Identifier: District - 05 Account Number - 00254623

Owner Information

Owner Name: CALVERTON B P O ELKS LODGE #2465 INC Use: EXEMPT COMMERCIAL

Mailing Address: PO BOX 37 BURTONSVILLE MD 20866-0037 Principal Residence: NO

Deed Reference: 1) / 4625/ 117
2)

Location & Structure Information

Premises Address
4343 SPENCERVILLE RD
SPENCERVILLE 20868Legal Description
SNOWDENS MANOR ENLAR
GED

| Map LS11 | Grid | Parcel P277 | Sub District | Subdivision 1 | Section | Block | Lot | Assesment Area 2 | Plat No: Plat Ref: |
|---------------------------------|------|-----------------|---------------|---------------------------------|-------------------------------|-------|-------------------|---------------------|-----------------------|
| Special Tax Areas | | | | Town Ad Valorem Tax Class | 42 | | | | |
| Primary Structure Built 0000 | | | Enclosed Area | | Property Land Area 2.97 AC | | | County Use 111 | |
| Stories 1 1/2 | | Basement YES | | Type | | | Exterior BRICK | | |

Value Information

| | Base Value | Value As Of | Phase-In Assessments | |
|--------------------|---------------|----------------|----------------------|------------|
| | | 01/01/2005 | As Of | As Of |
| | | | 07/01/2004 | 07/01/2005 |
| Land: | 69,000 | 74,200 | | |
| Improvements: | 131,300 | 164,500 | | |
| Total: | 200,300 | 238,700 | 200,300 | 213,100 |
| Preferential Land: | 0 | 0 | 0 | 0 |

Transfer Information

Seller: Type: IMPROVED ARMS-LENGTH Date: 03/31/1975 Price: \$100,000

Deed1: / 4625/ 117 Deed2:

Seller: Date: Price:

Type: Deed1: Deed2:

Seller: Date: Price:

Type: Deed1: Deed2:

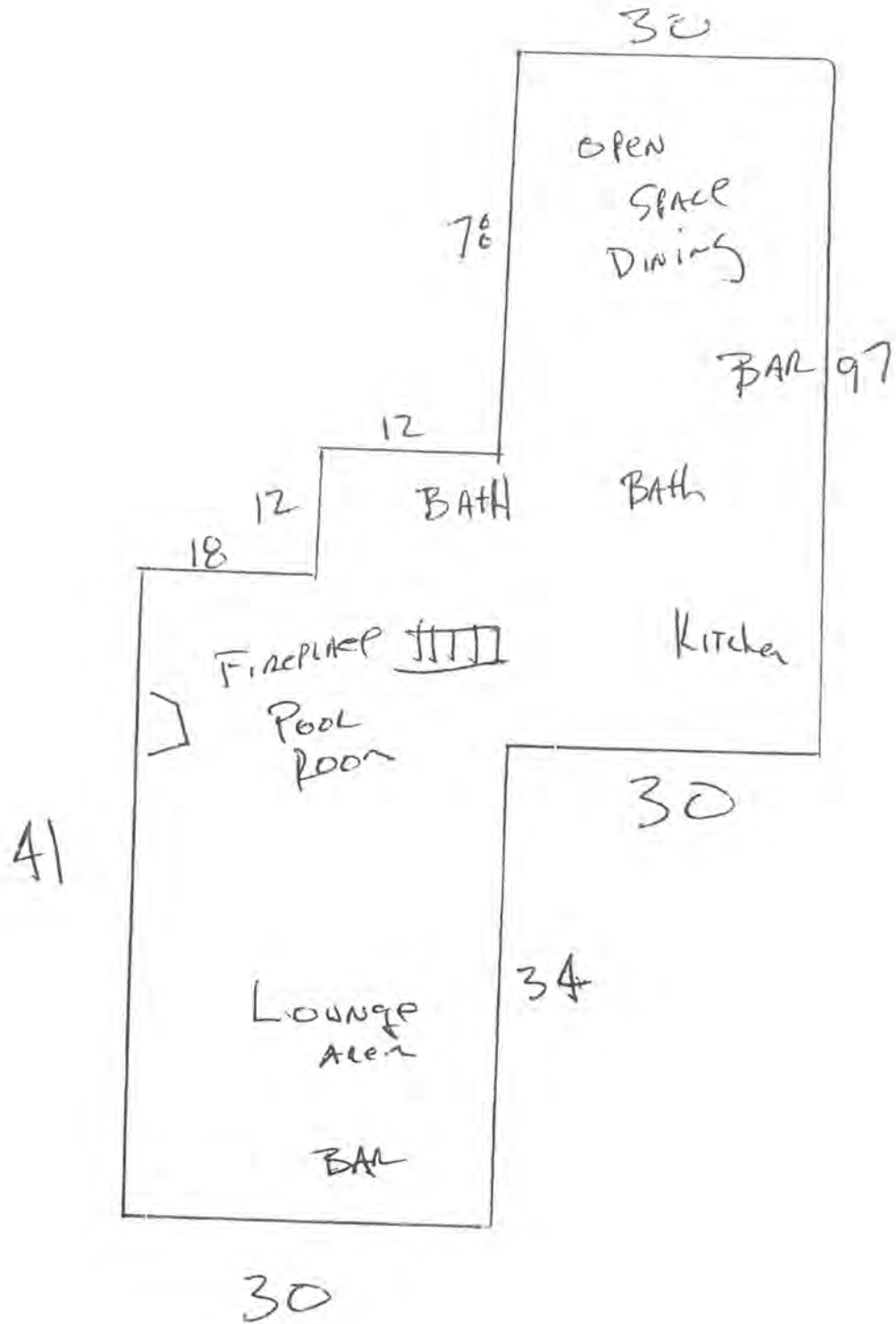
Exemption Information

| Partial Exempt Assessments | Class | 07/01/2004 | 07/01/2005 |
|----------------------------|-------|------------|------------|
| County | 000 | 0 | 0 |
| State | 000 | 0 | 0 |
| Municipal | 000 | 0 | 0 |

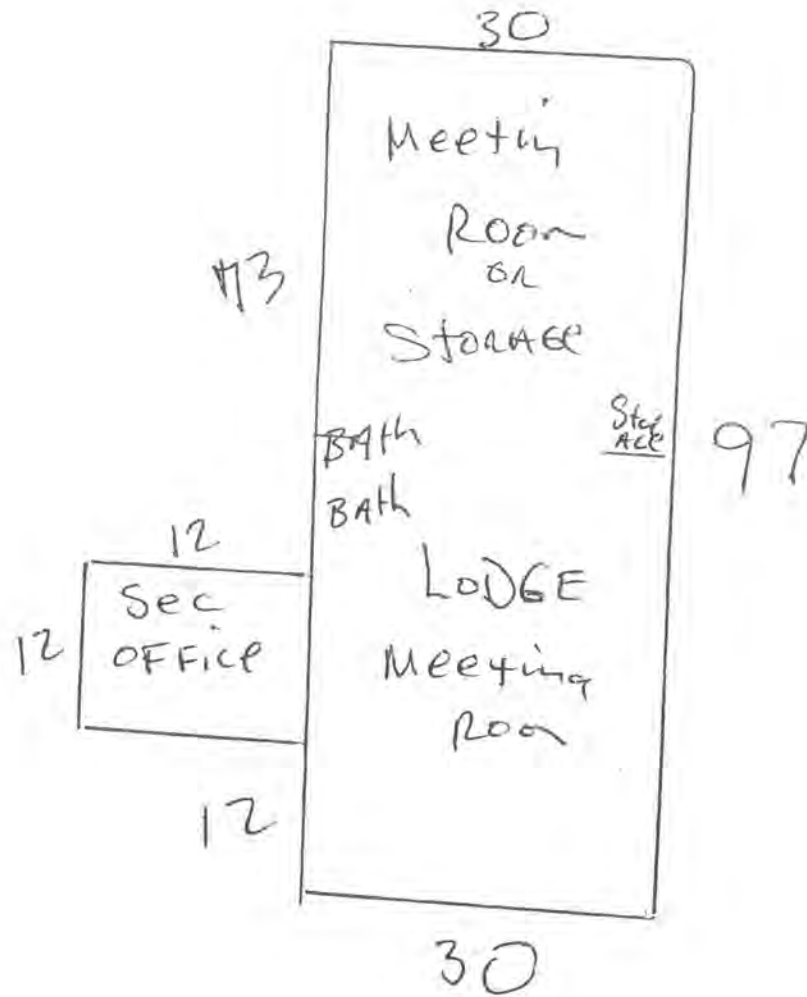
Tax Exempt: COUNTY AND STATE
Exempt Class:

Special Tax Recapture:

* NONE *

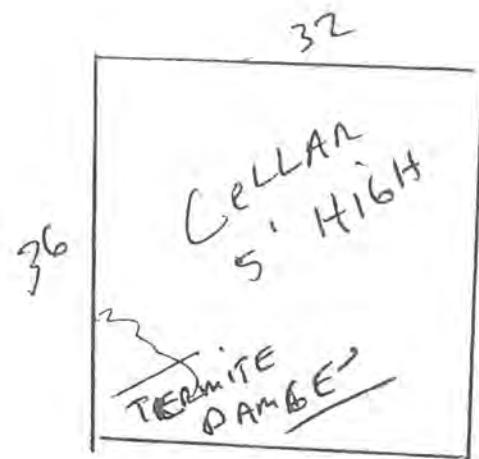
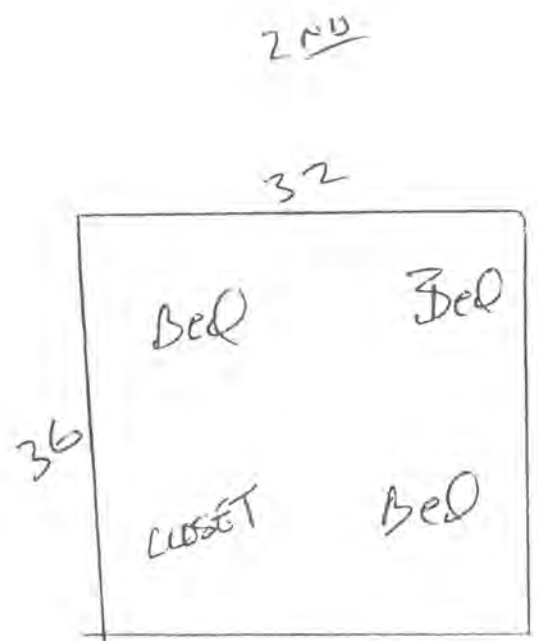
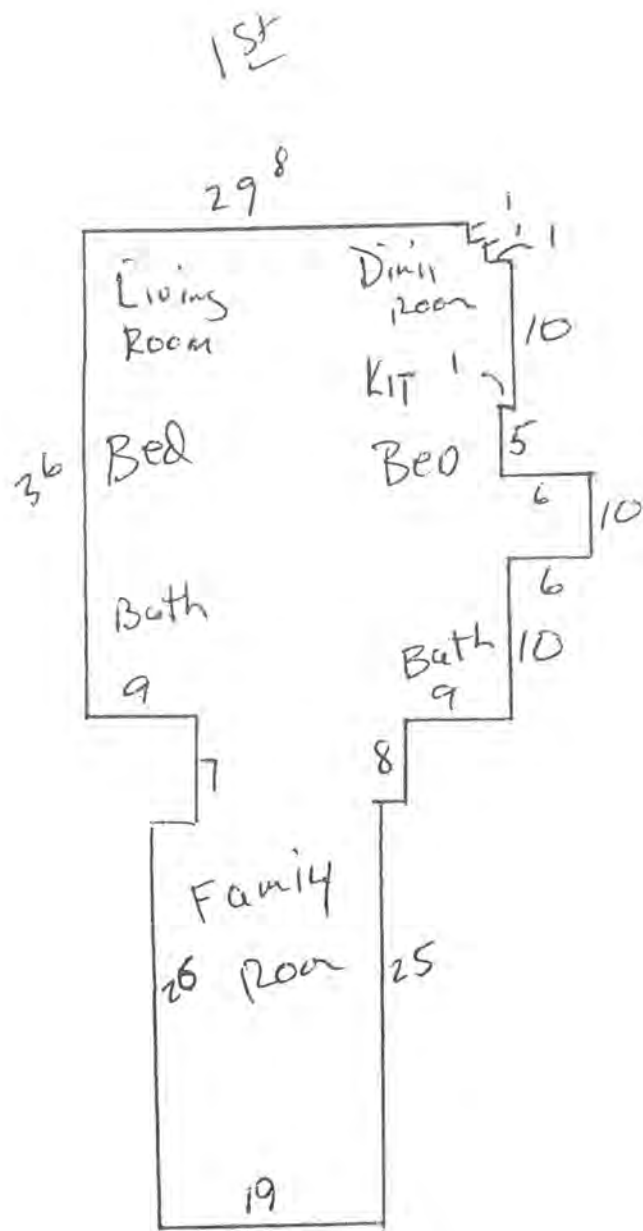


MAIN LODGE 1st Floor



2ND FLOOR MAIN LODGE

(ACCESS VIA SPIRAL STAIRCASE FROM 1ST FLOOR)



1st

The Cape Cod Structure
At the Entrance

PT 1
VILLE
ENT
Y 3

P48

OUTLOT "B"

1 PT. 5.04 AC.
2 (See Map Grid LS12 N495)

BA-2507

W.N. Fehr et al
6728/215

44.45 Ac.

P95

444/24

RC

ROUTE 198

PT.2

PT 1

(B)

P149

P206

P204

P255

(E)

JAY DRIVE

18

19

BA-S-338
BA-A-3119

20

(B)

21

P277

SPRING

2

R-200

DRIVE
PARCEL "A"

P335

P337

28
29
32
35
36
40
39

(C)

(D)

P422

P442

P340

P393

P361

PAR. "A"

COURT

TREE

BAS-2583

6

N480

N493

N494

ROAD

N447

N474

N451

(A)

(A)

Resolution No.: 16-06
Introduced: December 12, 2006
Adopted: December 12, 2006

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY MARYLAND**

By: County Council

SUBJECT: Executive Regulation 19-06AM, Non-Profit Organization Sign Permit and Sign Variance Fees

Background

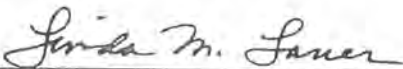
1. On December 6, 2005 the Council approved Zoning Text Amendment 05-13, which provided authority to the Director of the Department of Permitting Services to waive or reduce sign permit and sign variance fees for non-profit organizations under certain conditions.
2. On October 30, 2006 the County Executive transmitted Executive Regulation 19-06 to the Council to implement Zoning Text Amendment 05-13.
3. On December 6, 2006 the Council received Executive Regulation 19-06AM, which included some technical revisions to Executive Regulation 19-06 suggested by Council Staff.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

Executive Regulation 19-06AM, Non-Profit Organization Sign Permit and Sign Variance Fees is approved.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive : 101 Monroe Street : Rockville, Maryland 20850

| | |
|---|---|
| Subject: Non-Profit Organization Sign Permit and Sign Variance Fees | Number 19-06AM |
| Originating Department: DEPARTMENT OF PERMITTING SERVICES | Effective Date: December 12, 2006 |

Montgomery County Regulation on:

NON-PROFIT ORGANIZATION SIGN PERMIT AND SIGN VARIANCE FEES

DEPARTMENT OF PERMITTING SERVICES

Issued by: County Executive
Regulation No

AUTHORITY: Code Sections 59-F-9 1(b)(2)
Supersedes:
Council Review: Method 2 under Code Section 2A-15
Register Issue
Comment Deadline:
Effective date: December 12, 2006
Sunset date: None

SUMMARY: This regulation establishes a process for the waiving or reduction of all required sign permit and sign variance fees for non-profit organizations.

ADDRESSES: Department of Permitting Services
255 Rockville Pike, Second Floor
Rockville, Maryland 20850

STAFF CONTACT: Susan Scala-Demby, Manager
Division of Casework Management
240-777-6255

Reginald Jetter, Chief
Division of Casework Management
240-777-6275



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

| | |
|---|--------------------------|
| Subject: Non-Profit Organization Sign Permit and Sign Variance Fees | Number 19-06AM |
| Originating Department: DEPARTMENT OF PERMITTING SERVICES | Effective Date: |

BACKGROUND INFORMATION: The Department of Permitting Services enforces Chapter 59 of the Montgomery County Code. This regulation establishes the licensing requirements and operational requirements for waiving or reducing all required fees for sign permits and sign variances.

Sec. 1 PURPOSE

This regulation establishes a process for the waiving or reducing sign permit and sign variance fees for non-profit organizations.

Sec. 2 APPLICABILITY

This regulation applies to any non-profit organization that seeks to obtain a sign permit or sign variance for a sign in Montgomery County.

Sec. 3 DEFINITIONS

For the purposes of this regulation, the following words and phrases have the meaning indicated. Word and phrases defined and used in Chapters 59 of the Montgomery County Code have the meaning indicated in those Chapters.

Sec. 4 POLICY

Applicant must provide 501(C)(3) certificate and proof of annual income for the tax year immediately preceding the date of application.

Sec. 5 PROCEDURES

A non-profit organization applying for a sign permit or sign variance must follow all the permitting requirements found in Chapter 59-F of the Montgomery County Code. In addition, non-profit organizations that will use the sign for its own activities will be required to provide the following with the application:

1. proof of non-profit status, and
2. proof of annual revenue, and



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

| | |
|--|-------------------|
| Subject: Non-Profit Organization Sign Permit and Sign Variance Fees | Number 19-06AM |
| Originating Department: DEPARTMENT OF PERMITTING SERVICES | Effective Date: |

3. statement showing the proposed sign will be used only for the activities of the applicant organization, and
4. line drawing showing that the size of the proposed sign is smaller than the maximum size permitted in the zone in which the sign will be located.

Fees will be assessed in accordance with the fee scale noted below after all of the items above are submitted.

Sec. 6 FEES

Fees will be on a sliding scale based upon the annual revenue of the applicant. The fee scale is as follows:

| ANNUAL REVENUE | FEE |
|-----------------------------|----------------------|
| \$0.00 - \$50,000.00 | \$0.00 |
| \$50,000.01 - \$100,000.00 | 33% of Current Fees |
| \$100,000.01 - \$200,000.00 | 66% of Current Fees |
| \$200,000.01 and above | 100% of current Fees |

Sec. 7 SEVERABILITY

The provisions of these regulations are severable. If a court of competent jurisdiction holds that a provision is invalid or inapplicable, the remainder of the regulation remains in effect.

EFFECTIVE DATE: This regulation becomes effective December 12, 2006

Approved as to form and legality
Montgomery County, Md. County Attorney's Office

Douglas M. Duncan, County Executive

12/1/06
Date



TITLE BLOCK REQUIREMENTS FOR PLANS SEALED BY AN ARCHITECT OR ENGINEER

Plans submitted to Montgomery County Department of Permitting Services which are required to be signed and sealed by an engineer or an architect must comply with the Code of Maryland Regulation (COMAR) Titleblock Rules for the appropriate profession. Plans without the appropriate information and certification statement will not be accepted for review or the plan review will be suspended until the appropriate elements are provided on the drawings.

The Titleblock Rules for Architects can be found in COMAR Section 09.21.02.04.

The Titleblock Rules for Engineers can be found in COMAR Section 09.23.03.10.

The COMAR requirements are summarized below for your convenience.

ARCHITECTS

COMAR 09.21.02.04 Titleblock Rules.

A. An architectural entity shall incorporate a titleblock on all drawings and other documents required to be signed and sealed pursuant to Business Occupations and Professions Article, §3-501, Annotated Code of Maryland.

C. The name of the entity shall appear in the titleblock, either as a partnership, corporation, limited liability company, or other appropriate entity. In addition, the titleblock shall contain a date, printed name, signature, and seal of one of the directors of a corporation, general partners of a partnership, or members of a limited liability company, who prepared or approved the documents in accordance with these regulations.

E. In addition, the titleblock shall contain the following certification:

"Professional Certification.

I certify that these documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number _____, expiration date _____."

Titleblock, certification, seal, and signature shall appear in close proximity to each other.

ENGINEERS

COMAR 09.23.03.10 Titleblock Rules.

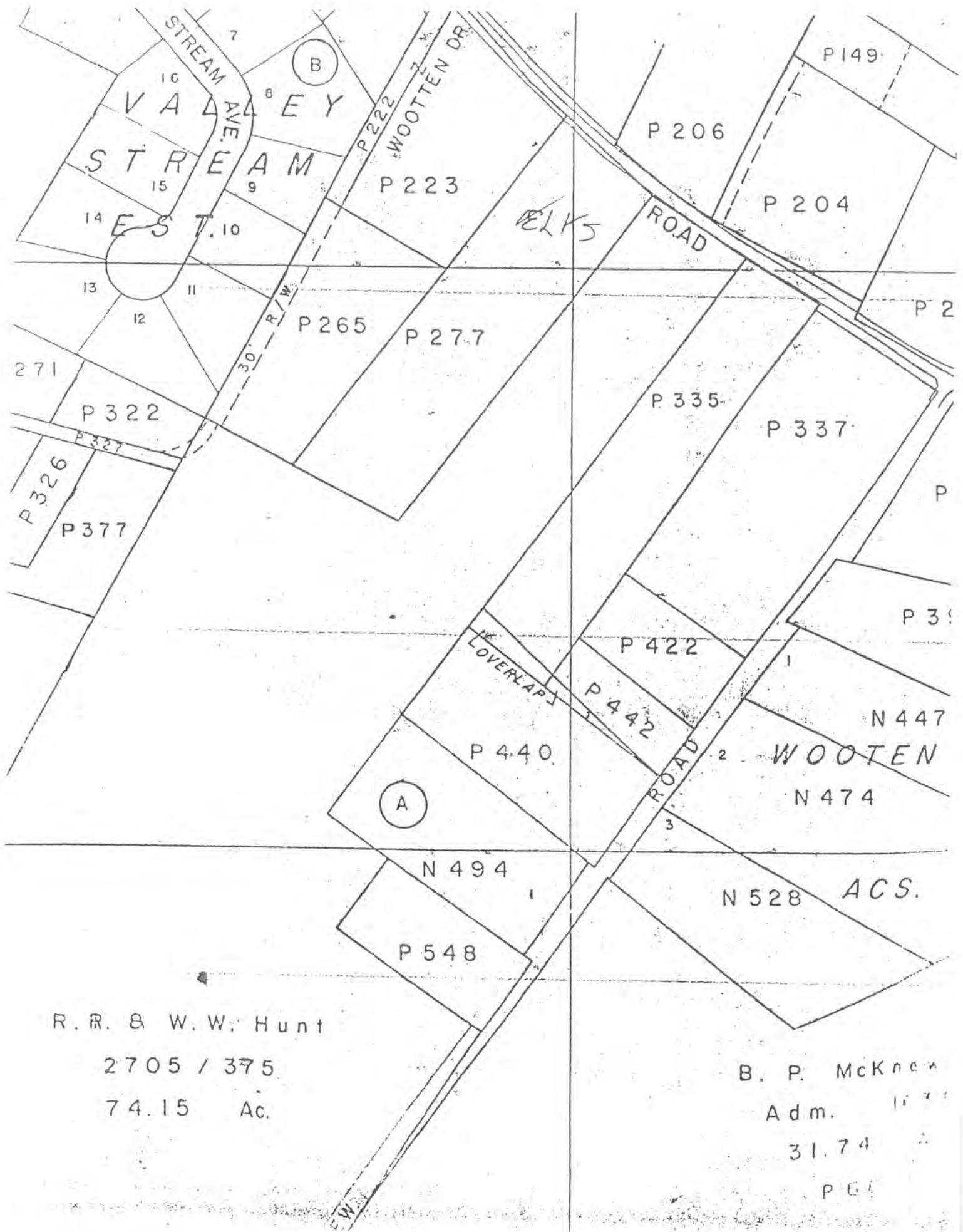
B. The titleblock shall contain at least the printed name of the engineering entity.

D. Documents described in this chapter shall contain the following certification:

"Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. _____, Expiration Date: _____."

E. The titleblock, certification, seal, and signature shall appear close to each other.

ON every
PAGE @
SEAL SQUARE



MARS GROUP

Traffic Engineering & Noise Consultants

8507 Horseshoe Road

Ellicott City, Maryland 21043

410.480.2706, www.mars-group.net

Transportation Study Exemption Statement
Contract # 21801

Paul Sill, P. E. L.E.E.D., A.P.

January 27, 2018

President

Sill Engineering Group, LLC

11130 Dovedale Court

Suite 200

Marriottsville, Maryland 21104

Dear Mr. Sill:

MARS Group Inc. prepared this Transportation Study Exemption Letter for the proposed Inspire, LLP (A job training and vocational rehabilitation service center) that will be located at #4343 Sandy Spring Road in Burtonsville, Montgomery County. Tax Map LS11, Parcel 277.

The Inspire, LLP will be relocated from 14700 Sweitzer Lane, in Laurel, Prince Georges County, to its new location in Montgomery County where it will replace the Silver Spring Moose Lodge. The Center will provide community service employment training and vocational rehabilitation services.

The Inspire, LLP center will employ eight employees. The administrative staff accounts for four of the eight staff members. Only the administration staff will work a traditional 9:00 a.m. to 5:00 p.m., Monday thru Friday schedule while the remaining staff members will be work during class and seminar sessions only. Classes will only be offered on Tuesdays, Thursdays from 7:30 p.m. until 11:00 p.m., and occasional conformances, seminars, and workshops held on Saturdays.

The maximum anticipated class size is 48 students and the maximum anticipated participants during Saturday conferences and workshops are 75 attendants.

There are no trip generation rates provided by the ITE Trip Generation Manual 9th Edition for the proposed land-use type. Trip generation will be derived from staff members, class size and direction of travel.

Conservatively the anticipated future student participant draw at the new location will be assumed at 60/40 split between Montgomery and Prince George's counties respectively. With participants from Washington D.C., Anne Arundel and Howard counties traversing either of Montgomery County or Prince George's counties to attend.

The proposed new location will be within 4000 feet of the Montgomery/Prince George's County Line. Assuming that all of the students and class staff members will arrive between 7:00 and 7:30 p.m. to attend classes offered during the week days. The anticipated number of students and class staff members arriving during the p.m. peak

Mr. Paul Sill, P.E.
January 27, 2018
Page 2

hour is limited to the 34 trips (one trip per student or staff) that are arriving from the Montgomery County side:

$$\{[(48 \text{ student} + 4 \text{ class staff}) \text{ arriving} + (4 \text{ admin staff leaving})] * 0.60\}$$

Since there are only four administration staff members arriving during the a.m. peak hour that will generate a total of 4 a.m. trips, the p.m. peak hour is the critical peak hour for person-trip generation analysis (34 p.m. > 4 a.m. trips).

From the Local Area Transportation Review Guidelines, Appendix Table 1b: Mode Split Assumption by Policy Area while utilizing Office classification. Table #1 provides the anticipated trips by mode.

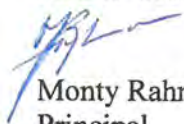
| Policy Area Burtonsville Town Center | Trip Generation Student Plus Staff Members | Transportation Mode | | | |
|--|--|------------------------------|-------------------------------------|------------------------|------------------------------------|
| | | Total Person Trips 73% | Auto Passenger Trips 19.8% | Transit Trips 2.8 % | Non- Motorized Trips 4.3% |
| Development Type Office | 34 | 47 | 9 | 1 | 2 |

Table #1, Trip by Transportation Mode

From Table #1, the anticipated p.m. peak hour person-trips generated by the relocated Inspire, LLP center does not exceed the threshold of 50 for any of the transportation modes. As such the proposed Inspire, LLP is exempt from completing a quantitative transportation analysis for either of the transportation modes.

Please do not hesitate to call me with any questions.

Best Regards!
MARS Group Inc.



Monty Rahman, P.E., PhD.
Principal

I hereby certify that these documents were prepared and/or reviewed by me, and that I am a duly licensed professional engineer under the Laws of the State of Maryland, License No. 21864. Expiration Date: 02/03/2018.

TRANSPORTATION STUDY EXEMPTION STATEMENT: INSPIRE LLP.

MARS GROUP

Burtonsville Crossroads Neighborhood Plan 2011 Boundary

EXHIBIT "I"





EXHIBIT "I-2"

Burtonsville Crossroads

Burtonsville Crossroads Neighborhood Plan

Plan Highlights

In December 2012, the County Council unanimously approved the [Burtonsville Crossroads Neighborhood Plan](#) (51.7 MB PDF).

The plan, which amends the [1997 Fairland Master Plan](#), establishes a vision to transform the existing crossroads into a complete community and provides recommendations for land use, transportation, environment and design that will enable the US29/MD198 commercial crossroads area to thrive. The plan focuses on:

- improving the street network
- adding an open space system and recreational opportunities
- identifying new residential opportunities
- protecting the sensitive tributary headwaters of the Patuxent River.

The recommendations, taken together, form a cohesive way forward and create a civic vision.

Background

View a [detailed map](#) (PDF) of the planning area.

The commercial crossroads properties at MD 198 and US 29 have seen redevelopment and circulation changes that have many area local merchants, property owners and residents questioning the area's economic future.



Changes that impacted the crossroads area included: a master planned loop/service road, State Highway's MD 198 corridor planning effort, and the Base Realignment and Closure (BRAC) at Ft. Meade on MD 198 in Laurel.



Last Updated: March 6, 2018

PLAN HIGHLIGHTS

COMMUNITIES AND CENTERS

This Master Plan reinforces the existing development patterns in the Fairland Master Plan area with appropriate adjustments based on the 1993 General Plan Refinement and the goal of balancing land use against available facilities and infrastructure.

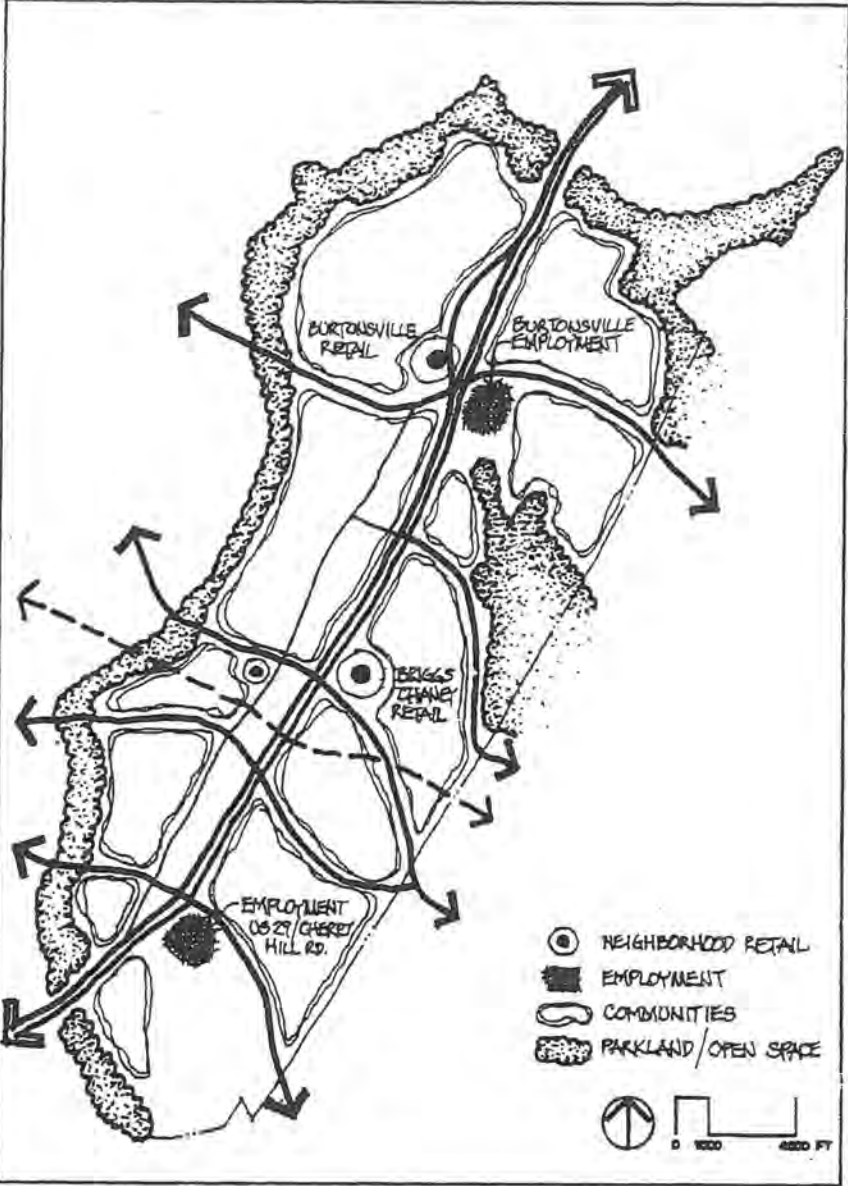
The Fairland Master Plan has community building as one of its key components; recognizing and reinforcing each community's unique character and identity and ensuring that local centers serving the communities are attractive, functional, safe, and accessible. The communities of Fairland are composed of new neighborhoods adjacent to mature neighborhoods, served by local shopping, schools, public services, and parks. The Fairland Master Plan implements the policies of the General Plan Refinement, which identified the Fairland Master Plan area as primarily residential in nature and within the Suburban Communities and the Residential Wedge.

This Plan:

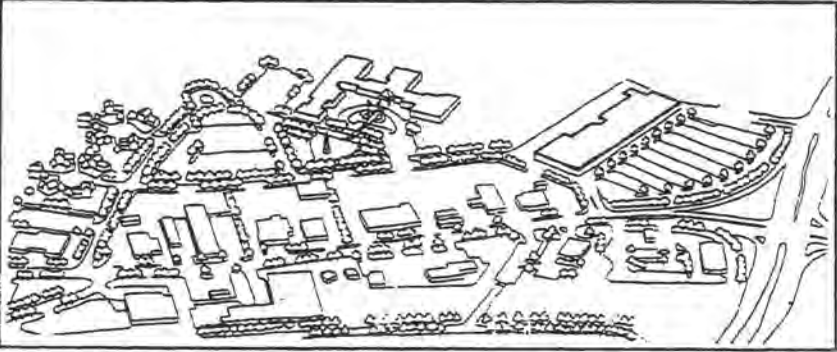
- Increases the potential for a greater percentage of single-family detached homes in undeveloped or underdeveloped areas within Fairland while maintaining a mix of housing types.
- Recommends a golf course community that straddles the Montgomery and Prince George's Counties' boundary and incorporates the revitalization of the public Gunpowder Golf Course, located off Gunpowder Road.
- Recommends redevelopment of the Great Oaks site with an institutional use or as a residential subdivision by using Transfer of Development Rights (TDRs).
- Removes TDR development options wherever environmental and access constraints limit using increased densities.
- Recommends streetscaping and sidewalk improvements in the Briggs Chaney Road and Burtonsville neighborhood retail areas.
- Recommends overlay districts to encourage diversification of uses in the US 29/Cherry Hill Road Employment Area and to provide opportunities for redevelopment in the Burtonsville Industrial Area.
- Recommends a new low-intensity regional shopping center in a 42-acre portion of the West*Farm Technology Park.
- Recommends sidewalk, trail, and roadway connections between new and existing communities.

COMMUNITIES AND CENTERS

FIGURE 1



Burtonsville Center



Golf Course Community



Briggs Chaney Center



TRANSPORTATION NETWORK

The Fairland Master Plan recommends enhancing mobility by providing a safe and efficient transportation system with a wide range of alternatives.

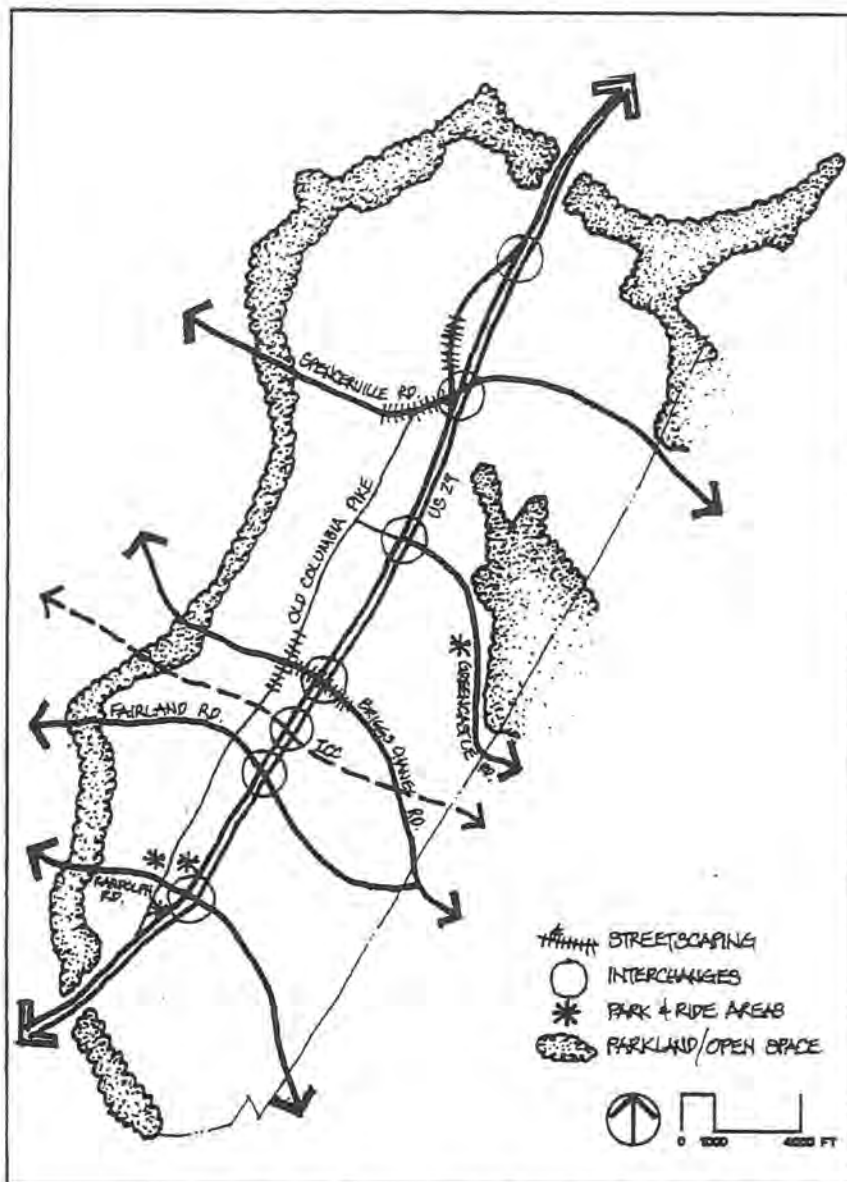
The Plan identifies right-of-way for grade-separated interchange improvements on US 29 and gives priority to east-west travel. The Plan underscores the need for pedestrian safety and access to local facilities and recommends a number of sidewalk improvements in commercial centers, in the residential communities, and along the major roads. Emphasis is placed on safe and attractive transportation improvements that enhance local circulation while improving all modes of travel within and through the communities and centers of Fairland.

This Plan:

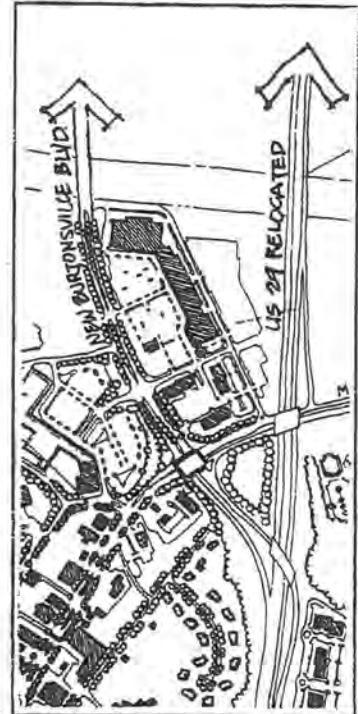
- Recommends grade-separated interchanges for all east-west crossings of US 29 and the need to reserve right-of-way for all improvements.
- Provides improved traffic circulation for through and local traffic.
- Recommends a rear access road in the Burtonsville neighborhood retail area to improve circulation along MD 198.
- Recommends improved access to the Burtonsville Elementary School.
- Recommends streetscaping, sidewalks, and pedestrian crossings in the Briggs Chaney Road and Burtonsville neighborhood retail areas.
- Recommends extension of existing local and regional bus service.
- Recommends a Transportation Demand Management Program to encourage transportation alternatives to the single-occupancy automobile, including car pooling and mass transit.
- Provides a safe and convenient bikeway network that connects to local community centers, services, and recreational facilities and expands commuting opportunities for biking.
- Expands the system of sidewalks and walkways to improve access to public transit, commercial centers, schools, parks, and places of employment.

TRANSPORTATION NETWORK

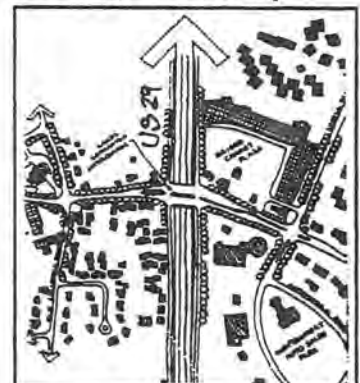
FIGURE 2



US 29 Relocated



US 29/Briggs Chaney Road Interchange and Streetscape



Burtonville Main Street and Access Loop



COMMUNITY FACILITIES AND LINKAGES

The Community Facilities goal in the Fairland Master Plan is to provide sufficient public services to support the neighborhoods and communities in Fairland.

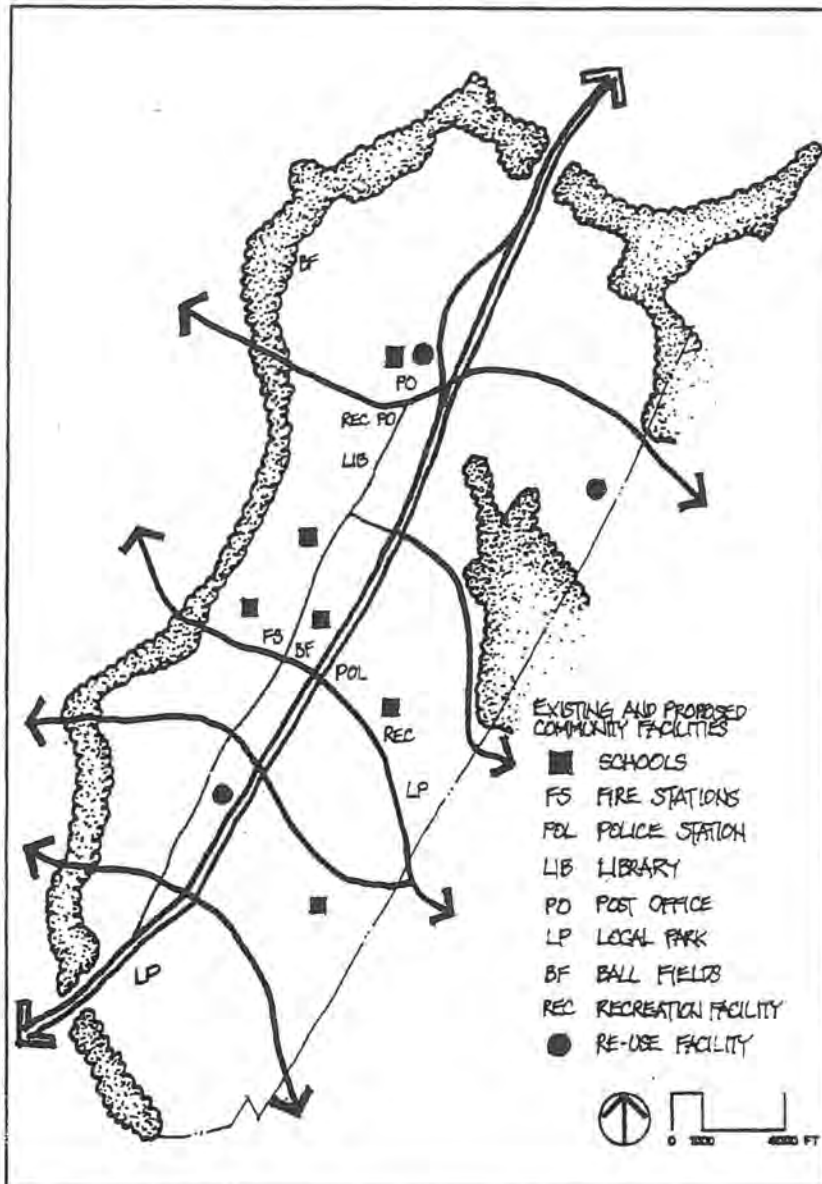
Schools, libraries, recreation facilities, conservation areas, and government buildings are important components of a community. This Plan implements the General Plan Refinement objective of "...striving for facilities that foster a sense of community."

This Plan:

- Recommends sites for an elementary school and two local parks.
- Recommends reuse of existing public facilities for recreation centers or other public uses.
- Recommends locations for additional recreation facilities such as ballfields, ball courts, and playgrounds.
- Recommends improving the public Gunpowder Golf Course as part of a new golf course community.
- Recommends extension of existing trails and connections to the Paint Branch Stream Valley Park.
- Recommends trails and connections to the Fairland Recreational Park through the Little Paint Branch stream valley.
- Expands park acquisition/dedication beyond current areas to ensure access to and protection of natural resources.
- Proposes a Greenway Network incorporating the Patuxent, Paint Branch and Little Paint Branch stream valleys.

COMMUNITY FACILITIES AND LINKAGES

FIGURE 3



Bikeway: Old Columbia Pike



Fire Station



Library



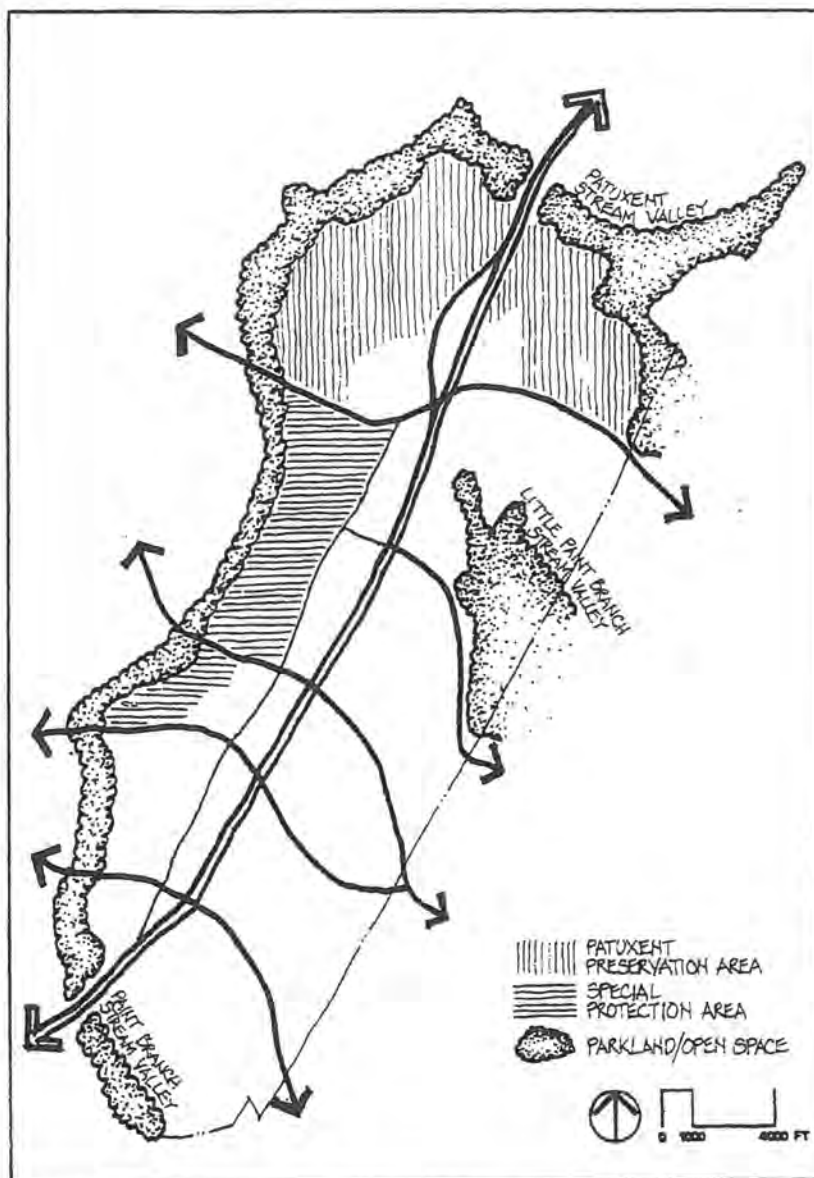
ENVIRONMENT

This Plan uses an approach for resource management that includes resource protection, environmental restoration, and Special Protection Area designation to sustain and support the natural resources in Fairland.

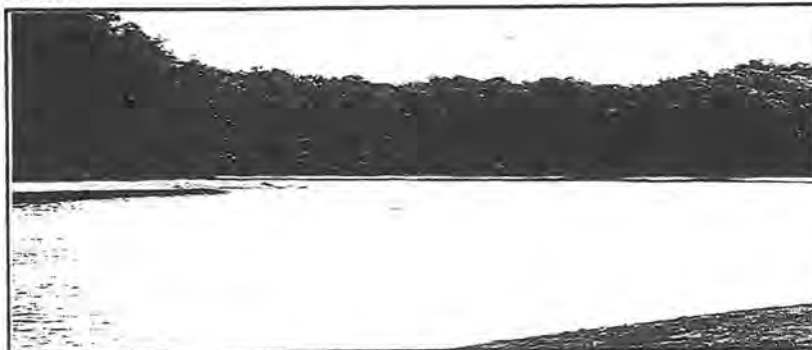
The Fairland Master Plan area falls within three watersheds, each having different characteristics and sensitive natural features. The Patuxent watershed drains to the water supply system for the eastern part of Montgomery County. The Little Paint Branch watershed supports the unusual habitat of both Piedmont and Coastal Plain vegetation. The Paint Branch watershed is unique in Montgomery County because its high-water quality supports a brown trout population.

This Plan:

- Recommends continued low-density land uses in the Patuxent watershed to support the high-quality water resources.
- Designates the Patuxent watershed as an Environmental Preservation Area.
- Recommends an environmental overlay in the upper Paint Branch watershed above Fairland Road.
- Recommends additional parkland to protect sensitive resources in the Silverwood tributary of the Little Paint Branch watershed and the Right Fork of the Paint Branch watershed.
- Recommends portions of the Paint Branch and Little Paint Branch watersheds as Environmental Restoration Areas.
- Recommends low/medium densities where environmental constraints limit potential development.
- Recommends limiting imperviousness in all three watersheds to preserve high water quality.
- Recommends stormwater management facilities for the Burtonsville neighborhood retail area.
- Supports improving air quality by encouraging design in new and existing development that promotes pedestrian, bicycle, and mass transit access.
- Recommends the Montgomery County Regional Composting Facility (Site 2) be considered for phase out.



Patuxent



Paint Branch



EXHIBIT "J-1"

| OWNERS_NAME | OWNERS_NAME2 | OWNERS_ADDR1 | OWNERS_ADDR2 | OWNERS_CITY | OWNERS_STATE | OWNERS_ZIP | OWNERS_ZIP_PLUS4 |
|-----------------------------|-------------------|----------------------|----------------------------|--------------|--------------|------------|------------------|
| FEHR WALTER N TR ET AL | | 4340 SANDY SPRING RD | | BURTONSVILLE | MD | 20866 | 1129 |
| BEAVER STEPHEN C | | 4200 JIM BOWERS RD | | SYKESVILLE | MD | 21784 | 0 |
| AUSTIN JOSEPH | | 15109 WOOTTENS DRIVE | | BURTONSVILLE | MD | 20866 | 1137 |
| BHEER SURUJNARINE | CHANDRAWATI BHEER | 15105 WOOTTENS LN | | BURTONSVILLE | MD | 20866 | 1174 |
| SINGH MANDEEP ET AL | | 15101 WOOTTENS DR | | BURTONSVILLE | MD | 20866 | |
| NATARAJAN SAVITHIRY & | RAJAN | 4237 WOOTTENS LN | | BURTONSVILLE | MD | 20866 | 1135 |
| WHITE FRANK A & | GERCHA R | 4235 WOOTTENS LN | | BURTONSVILLE | MD | 20866 | 1135 |
| FADEYI MARTINS A & | ADETOLA S | 4238 WOOTTENS LN | | BURTONSVILLE | MD | 20866 | 1136 |
| OAKHILLS COMMUNITY ASSO INC | | C/O THE MNGMT GROUP | 20440 CENTURY BLVD STE 100 | GERMANTOWN | MD | 20874 | 7116 |
| OAKHILLS COMMUNITY ASSO INC | | C/O THE MNGMT GROUP | 20440 CENTURY BLVD STE 100 | GERMANTOWN | MD | 20874 | 7116 |
| OAKHILLS COMMUNITY ASSO INC | | C/O THE MNGMT GROUP | 20440 CENTURY BLVD STE 100 | GERMANTOWN | MD | 20874 | 7116 |

| Association Code | Association Name | Association Type | Position | Name | Address 1 |
|------------------|---|------------------|-----------------------------------|----------------------|--------------------------|
| CA1191 | Cloverly/Fairland/White Oak CAC | CA | Chair | L. Edward O'Hara | 12510 Prosperity Drive |
| CA1191 | Cloverly/Fairland/White Oak CAC | CA | Chair | Ms. Barbara Foresti | 301 Willington Drive |
| CA1191 | Cloverly/Fairland/White Oak CAC | CA | | Quentin Remein | 201 Bryants Nursery Rd |
| CW6786 | East County Citizens Advisory Board | CW | | | 3300 Briggs Chaney Road |
| CW3450 | Montgomery County Civic Federation | CW | President | Carol Ann Barth | 10602 Lockridge Drive |
| CW6785 | Montgomery County Renters Alliance Inc. | CW | Chair | Hermoine Freeman | |
| CW6785 | Montgomery County Renters Alliance Inc. | CW | Director | Matthew Losak | 1001 Spring Street #316 |
| CW0969 | Montgomery County Taxpayers League | CW | President | Joan Fidler | 7400 Pyle Road |
| CW1135 | Montgomery Preservation, Inc. | CW | Director | Judith Christensen | 6 Walker Avenue |
| CW0683 | Northern Montgomery County Alliance | CW | Chair | Julius Cinque | 22300 Slidell Road |
| HO0917 | Oak Fair HOA | HO | Management Co. | Richard Skobel | 9 Park Avenue |
| HO0917 | Oak Fair Homeowners Association | HO | Main Street Property Mgmt. | Regina Wright | 9 Park Avenue |
| HO0469 | Saddle Creek Homeowners Assn., Inc. | HO | Contact | Richard Blackman | 14923 Saddle Creek Drive |
| HO0952 | Valley Stream Estates Homeowners Assn | HO | Chambers Management | | 12051 B Tech Rd |
| CA1313 | Washington Metro Area Transit Authority | CW | Managing Director Ofc of Planning | Shyam Kannan | 600 Fifth Street NW |
| CA0523 | West Laurel Civic Assn. | CA | President | Barbara Sollner-Webb | 17200 Melbourne |
| CA0523 | West Laurel Civic Assn. | CA | Vice-President | Cassandra Hostetler | |
| CA0523 | West Laurel Civic Assn. | CA | President | Melissa Daston | 16102 Goodman Court |
| CA0523 | West Laurel Civic Assn. | CA | Vice-President | Thomas Dernoga | 5611 Straughn Drive |

Joanne Carey-Vert

3654 Carriage Hill Drive

Frederick, MD 21704

joanne@sillengineering.com

Employment History

Sill Engineering Group, LLC

January 2016- present

- Project management on varying projects throughout the state
- Landscape design lead for office; includes planting recommendations (commercial and residential design)
- Development of Forest Stand Delineations, and Forest Conservation Plans (Qualified Professional status through the state of Maryland)

Luke Fieldwalker, LLC

March 2015-January 2016

- Design and installation of residential landscape
- Office Manager
- Nursery Manager
- Estimator and Proposal writer

Kalyx Green Landscape Design and Construction

August 2013-January 2015

- Design and supervise installation of residential landscape
- Assisted in doubling the firm's revenue in one year

Capital Greenroofs

June 2012- November 2012

- Part time working as green roof installer

Wilmot Sanz Architects

May 1989-May 2006

- CADD Drafter
- Project Architect
- Overseeing the architectural drawings from design development to Construction Documents stages
- Coordination with MEP, Civil and other disciplines involved with the development of the contract documents
- Overseeing the construction of different hospital additions, senior assisted living facilities and medical treatment facilities
- Reviewing and approving shop drawings and RFI's
- Management of all job specific materials

Dewberry and Davis

Spring 1987-May 1989

- Civil engineering drafter

Educational Background

University of Maryland, College Park (2013)

Bachelor of Science- Landscape Architecture (minor Landscape Management)

Montgomery College (1997)

A.A, Honors Electro/Mechanical Engineering

**PAUL M. SILL, LEED AP
PROFESSIONAL ENGINEER**

EXHIBIT "L"

CONTACT INFORMATION

11130 Dovedale Court, #200
Marriottsville, MD 21104
Office: 443.325.5076
paul@sillengineering.com

PROFESSIONAL EXPERIENCE

January 2014 – Present: Principal: Sill Engineering Group, LLC

A professional organization specializing in Engineering and Planning for the building and land development industries including commercial, residential, and government projects.

I am a Licensed Professional Engineer and LEED Accredited Professional with over 25 years of experience in the design, drafting and construction of civil engineering projects in the commercial, residential and institutional fields.

Commercial projects that I have worked on include buildings that house restaurants, hotels, banks, retirement homes, offices and retail centers. Residential projects range from small, single lot site development plans to planning and engineering for a 300-plus unit development that held single family detached, single family attached and condominium buildings such as The Fairways at Turf Valley in Ellicott City, Maryland. This project encompassed the design of over 3,000 feet of roadway, storm drain and water and sewer mains in addition to the retro-fit of an existing regional stormwater management pond.

Institutional projects have contained buildings that range from 5,000 square feet to 100,000 square feet such as The Overflow Warehouse in Baltimore City, Maryland implementing the addition of 100,000 square feet of warehouse space onto an existing site, including the redevelopment of the stormwater management practices.

Retro-Fit Projects such as Eaglehead Community Preservation Corporation, Lake Linganore, in Frederick County Maryland incorporating a Water Pumping Station and similar aspects of The Fairways at Turf Valley. This plan involved 115 lots and roads with 30 and 40 foot right-of-ways that were recorded in the early 1970's. We were tasked with creating a vertical road design and associated utilities that would function within the tight constraints of the recorded subdivision. Even more important, was the design of stormwater management practices that could accomplish the state and county goals without requiring any revisions to the existing layout.

| | |
|---------------------------------|---|
| April 2006 to January 2014: | Principal: Sill, Adcock & Associates, LLC – Ellicott City, Maryland |
| April 2001 to April 2006: | FSH Associates, Inc. – Ellicott City, Maryland |
| October 1998 to April 2001: | Frederick Ward Associates, Inc – Columbia, Maryland |
| October 1994 to October 1998: | Clark Finefrock & Sackett, Inc. – Columbia, Maryland |
| September 1988 to October 1994: | NTT & Associates, Inc. – Mt. Airy, Maryland |

I have held various positions with these companies all in the civil engineering and surveying field.

EDUCATION

Mount Saint Joseph High School – High School Diploma, 1988
 Community College of Baltimore County and University of Maryland Baltimore County – Multiple Courses, 1990-2005

PROFESSIONAL QUALIFICATIONS

Licensed Professional Engineer, Maryland #32025
 United States Green Building Council LEED Accredited Professional
 State of Maryland Certificate of Training, Erosion and Sediment Control
 Military Emergency Management Specialist, Senior

PROFESSIONAL MEMBERSHIPS

American Society of Civil Engineers: Member since 2004
 National Society of Professional Engineers: Member since 2004
 Maryland Society of Professional Engineers: Member since 2004; Vice President 2006-2007 & 2012-2013; Treasurer 2007-2008; Chair of Automotive Tag Committee 2005 to present; Chair of Audit Committee 2007; Education Committee member 2010 to present;
 Maryland Society of Professional Engineers, Baltimore Chapter; Chapter President 2008-2009; President Elect 2007-2008; Immediate Past President 2009-2011; State Director 2008-2009; Chapter Director 2005-2007 & 2011 to present;
 Order of the Engineer: Oath taken 2005
 Society of American Military Engineers, 2011 to present
 Major, 121st Engineer Regiment, Maryland Defense Force, 2009 to 2017 (honorably discharged)
 Maryland Building Industry Association: Member since 2016

Monty A. Rahman, P.E., PhD
 8507 Horseshoe Road
 Ellicott City, Maryland 21043
 Tel. 410.480.2706, rahman@mars-group.net

Education

2017 Morgan State University
 Doctor of Engineering, Civil Engineering Department
 Dissertation: "Evaluation of the FHWA Traffic Noise Model"

1993 University of Maryland Eastern Shore
 Masters of Science, Computer Science
 Thesis: "Reactive Mutation Operator in Genetic Algorithm"

1983 University of Central Florida
 Bachelor of Science, Civil/Environmental Engineering

Professional Engineer licensed in the State of Maryland (No. 21864).

Adjunct Professor at Morgan State University, Physics Department.

Experience

2001-Present **Mars Group, Inc. (Traffic Engineering and Noise Consultant)**
 Principal/Owner
 MARS Group Inc specializes in traffic engineering, transportation and environmental noise, and building acoustics providing comprehensive technical expertise in: Design, Measurement, Analysis, Mitigation, Monitoring, Report, and Professional Testimony.

1993-2001 **Maryland Department of Transportation, State Highway Administration**
 Team Leader, Project Planning Division
 Assembly and direction of interdisciplinary engineering and environmental teams. Direct and review multi-model project engineering activities, traffic analysis, accident analysis, environmental impact assessment and environmental effect reports. Initiate and follow up on public participation procedures, develop Major Investment Studies and Congestion Management Strategies and insure compliance with Federal Highway regulations and requirements. Supervise and direct all administrative and fiscal activities of subordinates and funds, in-house and consultant, for several multi-million-dollar projects.

Feb 1996 to **Morgan State University National Transportation Center**
 Aug 1996 Special assignment on leave from SHA to initiate task coordination of multi-agency involvement in the Maryland Motor Carrier Program [Commercial Vehicle Information Systems and Networks (CVISN)]. Coordinate the activities of the University Consortium (Morgan State, MIT Center for Transportation Studies and Johns Hopkins University Applied Physics Laboratory) to investigate, evaluate, plan and coordinate the development of computer and communication information systems technologies to streamline states' commercial vehicle operations.

1987 to 1993 **Maryland Department of Transportation, State Highway Administration**
 Project Engineer, Project Planning Division
 Involved in the development of alternate highway improvement solutions. Development of preliminary engineering studies. Development of traffic engineering analysis and environmental reports, project schedules and cost estimates.

1985 to 1987 **Century Engineering, Inc., Baltimore, Maryland**
 Construction, Inspection, Highway and Bridge Division
 Insured that in field procedures and materials complied with construction plans and specifications.

Papers, publications, and professional presentations available upon request.

EXHIBIT "N"
Forest Conservation Form



Development Applications and Regulatory Coordination Division

Effective 6/29/2015

M-NCPPC

8787 Georgia Avenue, Silver Spring, MD 20910

301-495-4550, fax: 301-495-1306

Forest Conservation Law Applicability for Conditional Uses/Special Exceptions

Property Information

Address 4343 SANDY SPRING ROAD City BUCKTONSVILLE
Subdivision Name N/A Plot(s) N/A Lot(s) N/A Block(s) N/A Tax Map L911 Parcel(s) P277
Property Tax ID 1 00254623 Property Tax ID 2 Property Tax ID 3 Property Tax ID 4

Applicant (Owner, Contract Purchaser, or Owner's Representative)

Name SANDRA VENTURA Company INSPIRE, LLP
Street Address 14700 SWEETZER LANE City LAUREL State MD Zip Code 20707
Phone Number Email Address inspire5@verizon.net

Total Area of Property: 2.97± acres 129,373.2 square feet

Applicant attests that the following statements apply to the subject property conditional use/special exception application:

☒ The application does not propose any clearing or grading activities on or near the conditional use/special exception site. (Requires plan number and M-NCPPC signature below)

OR, all of the following:

- ☐ [] The application applies to a property of less than 40,000 square feet. (Not subject to Forest Conservation Law; requires M-NCPPC signature below)
- ☐ [] The property is not subject to a previously approved Forest Conservation Plan.
- ☐ [] The conditional use/special exception proposal will not impact any champion tree as defined by the Montgomery County Forestry Board.

PLEASE NOTE: If regulated activities occur on the property other than what is being attested to, the exemption immediately terminates without action by the Planning Board. The Planning Director may require the submission and approval of a Natural Resources Inventory/Forest Stand Delineation and a Forest Conservation Plan, and may also issue a fine of up to \$1,000 per day.

Applicant's Signature

Printed Name

Sandra Ventura

Date

2/27/18
301-974-1861

For Staff Use Only

M-NCPPC acknowledges that the conditional use/special exception for the above property:

- ☐ Is not subject to the Forest Conservation Law as defined in Chapter 22A of the Montgomery County Code.
- ☐ Is exempt from the Forest Conservation Plan requirements under Section 22A-5(q)(1) of the Forest Conservation Law.

Plan Name:

Plan Number: 4

M-NCPPC Signature

Date

Printed Name

Joanne Carey-Vert

From: Etheridge, Mark <Mark.Etheridge@montgomerycountymd.gov>
Sent: Wednesday, April 25, 2018 2:47 PM
To: Joanne Carey-Vert
Subject: RE: Moose Lodge at 4343 Sandy Spring Rd. Burtonsville

Hi Joanne –

That's correct. Stormwater management is not required unless there is a requirement for a sediment control permit. If your project does not include any soil disturbance there would be no requirement for a sediment control permit and therefore no requirement to address stormwater management.

Mark C. Etheridge
Manager
Water Resources Section
Department of Permitting Services
255 Rockville Pike, 2nd Fl.
Rockville, MD 20850
240-777-6338
240-777-6339 (fax)

Have you tried DPS eServices? <http://permittingservices.montgomerycountymd.gov/DPS/eServices/AboutServices.aspx>

All information in this communication and its attachments are confidential and are intended solely for addressee(s) included above and may be legally privileged. Please take notice that any use, reproduction or dissemination of this transmission by parties other than the intended recipient(s) is strictly prohibited. If you are not the intended recipient, please immediately notify the sender by reply e-mail or phone and delete this message and its attachments.

From: Joanne Carey-Vert [mailto:joanne@sillengineering.com]
Sent: Wednesday, April 25, 2018 2:31 PM
To: Etheridge, Mark <Mark.Etheridge@montgomerycountymd.gov>
Subject: Moose Lodge at 4343 Sandy Spring Rd. Burtonsville

Hi Mark,
Thank you for getting back to me so quickly with your phone call.

As a follow up to our recent phone conversation, I am writing to verify that I understand, for the Conditional Use application process, there will be no need for a Sediment and Erosion Permit because there will be no soil disturbance at the site. Furthermore, because there is no Sediment and Erosion Permit required, no Storm Water Management will be required for the Conditional Use plan.

Thanks,
Joanne

Joanne Carey-Vert, ASLA
Landscape Engineer
MD Dept. of Natural Resources Qualified Professional
11130 Dovedale Court, Suite 200
Marriottsville, MD. 21104
443-325-5076 ext.105
Website: www.sillengineering.com

EXHIBIT "P"

Real Property Data Search

Search Results for MONTGOMERY COUNTY

| View Map | | View GroundRent Redemption | | View GroundRent Registration | |
|---|---|--|-------------------------------|------------------------------|-------------------------|
| Account Identifier: | | District - 05 Account Number - 00254623 | | | |
| Owner Information | | | | | |
| Owner Name: | SILVER SPRING LODGE NO 658 LOYAL ORDER OF MOOSE INC | | Use: | EXEMPT COMMERCIAL NO | |
| Mailing Address: | 4343 SANDY SPRING RD BURTONSVILLE MD 20868- | | Deed Reference: | /36879/ 00467 | |
| Location & Structure Information | | | | | |
| Premises Address: | | 4343 SPENCERVILLE RD SPENCERVILLE 20868-0000 | | Legal Description: | SNOWDENS MANOR ENLARGED |
| Map: | Grid: | Parcel: | Sub District: | Subdivision: | Section: |
| LS11 | | P277 | | 0001 | |
| | | | | Block: | Lot: |
| | | | | | |
| Special Tax Areas: | | | | Town: | NONE |
| | | | | Ad Valorem: | |
| | | | | Tax Class: | 42 |
| Primary Structure Built | | Above Grade Living Area | Finished Basement Area | Property Land Area | County Use |
| 1927 | | 1544 | | 2.9700 AC | 111 |
| Stories | Basement | Type | Exterior | Full/Half Bath | Garage |
| | | FRATERNITY HOUSE | | | |
| Value Information | | | | | |
| | Base Value | Value | Phase-in Assessments | | |
| | | As of | As of | As of | |
| | | 01/01/2017 | 07/01/2017 | 07/01/2018 | |
| Land: | 155,200 | 155,200 | | | |
| Improvements | 192,500 | 211,800 | | | |
| Total: | 347,700 | 367,000 | 354,133 | 360,567 | |
| Preferential Land: | 0 | | | 0 | |
| Transfer Information | | | | | |
| Seller: WASHINGTON-ROCKVILLE LODGE NO 15 | | Date: 04/02/2009 | | Price: \$1,325,000 | |
| Type: ARMS LENGTH IMPROVED | | Deed1: /36879/ 00467 | | Deed2: | |
| Seller: CALVERTON B P O ELKS LODGE | | Date: 03/24/2009 | | Price: \$0 | |
| Type: NON-ARMS LENGTH OTHER | | Deed1: /00000/ 00000 | | Deed2: | |
| Seller: | | Date: | | Price: | |
| Type: | | Deed1: | | Deed2: | |
| Exemption Information | | | | | |
| Partial Exempt Assessments: | Class | 07/01/2017 | 07/01/2018 | | |
| County: | 900 | 354,133.00 | 360,567.00 | | |
| State: | 900 | 354,133.00 | 360,567.00 | | |
| Municipal: | 900 | 0.00 0.00 | 0.00 0.00 | | |
| Tax Exempt: | | Special Tax Recapture: | | | |
| Exempt Class: | | NONE | | | |
| Homestead Application Information | | | | | |

District: **05** Account Number: **00254623**



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

Initial construction permit. Dated Oct. 8 1965 / Approved 10-22-65

MONTGOMERY COUNTY HEALTH DEPARTMENT
ROCKVILLE, MARYLAND

II-19
A - 4709

CONSTRUCTION PERMIT

Upon application made by A. J. Bolden

granted to Mr. Orlando Carbia

permission is hereby

(Owner) to ~~reconstruct~~ reconstruct

an excreta disposal system ~~and/or a water supply system~~ to serve ~~to serve~~ an existing building

for use as a dwelling containing 5 bedrooms; for use as a

and located at Route 198 (4343 Sandy Spring Rd.)

on Lot Block Subdivision Burtonsville

THE CONDITIONS SPECIFIED BELOW ARE PART OF THIS PERMIT. ANY CHANGES IN THE TERMS OF THE PERMIT OR THE USE OF THE BUILDING SHALL BE BY WRITTEN APPROVAL OF THE HEALTH OFFICER ONLY.

No building shall be occupied and no excavation shall be covered until the owner has obtained written approval from the Health Officer or his duly authorized representative. Notify the Health Department 48 hours before excavations are to be backfilled.

Date Oct. 8, 1965
Expires: April 8, 1966

Roy P. Lindgren, M.D.
COUNTY AND DEPUTY STATE
HEALTH OFFICER

By Donald C. Wheeler
Per: m.B.

CONDITIONS

1. Limits of well location: Existing

1" - 10 min @ 7' ~~4~~ 14'

2. Size of septic tank: Existing

Size of absorption system: 1 deep trench - 75 ft. long by 14 ft. deep by 4 ft. wide filled with 7 ft. of 2-inch stone.

Location: Same as test holes.

3. Special plumbing notes: None.

4. Other special conditions: None.

might be referring to dose, not size of tank

might be percolation results

COMPLETION CERTIFICATE

This is to certify that the

() excreta disposal system constructed by:

Paul H. Serrano

() water well drilled by:

() water system installed by:

and located at

Lot _____ Block _____

Subdivision _____

has been installed in compliance with the terms of Permit No. _____ and permission is given to fill in the excavations, to render the system fit for use, and to occupy the building for dwelling or business purposes.

COUNTY AND DEPUTY STATE HEALTH OFFICER

Date

11-22-65

By

George A. Wanda

Note reads:
"10-22-65 Septic
system approved
GAW
See plotted
drawing. GAW"

No drawing provided

SKETCH

INSPECTION HISTORY AND APPROVED CHANGES

Show dates and initials for all actions.

Indicate intermediate approvals given and calls for inspection received.

10-22-65 Septic system approved GAW

See plotted drawing GAW

Receipt # 01478

Application # 5137

Grid JJ-19

OFFICE LOCATION

6110 Executive Blvd.
Rockville, Maryland

DEPARTMENT OF ENVIRONMENTAL PROTECTION

MONTGOMERY COUNTY, MARYLAND
(301) 881-7976

MAILING ADDRESS

County Office Building
Rockville, Maryland 20850

APPLICATION FOR A CONSTRUCTION PERMIT

TO: Director, Montgomery County Department of Environmental Protection

I hereby apply for a permit to use an existing ~~construct or reconstruct~~ an excreta disposal system
~~and/or a water supply system~~ to serve ~~a new~~ (an existing) building.

1. for use as a dwelling containing 5 bedrooms, OR
2. for use other than private dwellings Private Club (Fraternal & Service Organization)
basis of flow quantities

Street Address 4343 Sandy Spring Road, Burtonsville, Maryland 20730

Lot _____ Block _____ Subdivision _____ OR I-W
Parcel _____ Grid _____ Plate _____ WSSC Category # III-S

Contract

Owner's Name Calverton B.P.O. Elks #2465, Inc.

Telephone # 384-4990

&
Address 15440 Columbia Pike, Burtonsville, Maryland

384-8000

Date October 25, 1974

Signature [Signature]

() Owner
(XX) Agent

DO NOT WRITE BELOW THIS LINE

- () B.P.A. () P.P. () Test Informed By [Signature]
1. Limits of well location: Public Water or Test Jan 11 1975
Well to be _____ ft. from _____ lot line and _____ ft. from _____ lot line.
() Well to be grouted a minimum of 40 ft. below ground level.

2. Size of Septic Tank: 1500 gallon (top of tank to be within 18" of finished grade)

3. Percolation Test: 1 inch in _____ minutes at _____ ft. and _____ ft.

4. Size of Absorption System: _____ trench(es) _____ ft. long by _____ ft. wide with _____
ft. of 2 inch stone. Bottom of trench(es) to be _____ ft. below natural grade.

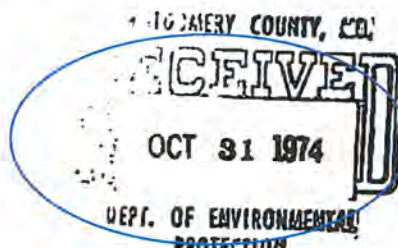
_____ linear feet of tile fields 2 ft. wide and 2½ feet deep.

5. Location: 1st trench to begin _____ ft. from _____ lot line and _____ ft. from _____
lot line, and extend _____ ft. on contour to _____.
2nd trench
3rd trench
4th trench

6. Other Special Conditions: Trenches/fields to be at least 100 ft. from any well
Well to be at least 100 ft. from any septic system

- () Trenches to be connected in series.
() Interim well statement.
() Interim septic statement.
() No basement plumbing facilities.

Ready to issue ()



Initials _____

25
*DOUGLAS H. WILSON
Exalted Ruler

CARROLL H. EARP
Leading Knight

DRENCI T. RYBERG
Loyal Knight

WILLIAM J. CASSAGRADA
Lecturing Knight

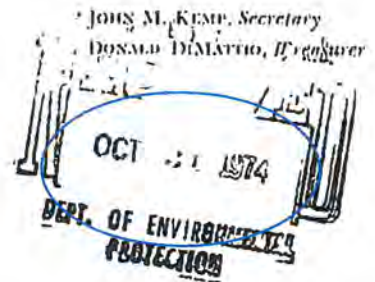


Calverton Lodge No. 2465

BENEVOLENT AND PROTECTIVE ORDER OF ELKS

15440 Old Columbia Pike
Burtonsville, Maryland 20730

10-30-74



Mr Schooley,

Didn't get a chance to
get by yesterday - here's what
you need to check for permit.

I have requested a verification
from WSSC of water consumption
figures for the period this bldg
was used to raise research animals.
That should go a long way toward
substantiating the system's capacity.

Please call me at your
earliest convenience to arrange
for the proper fee.

Thank you,

David A. Swinburne
384-4990

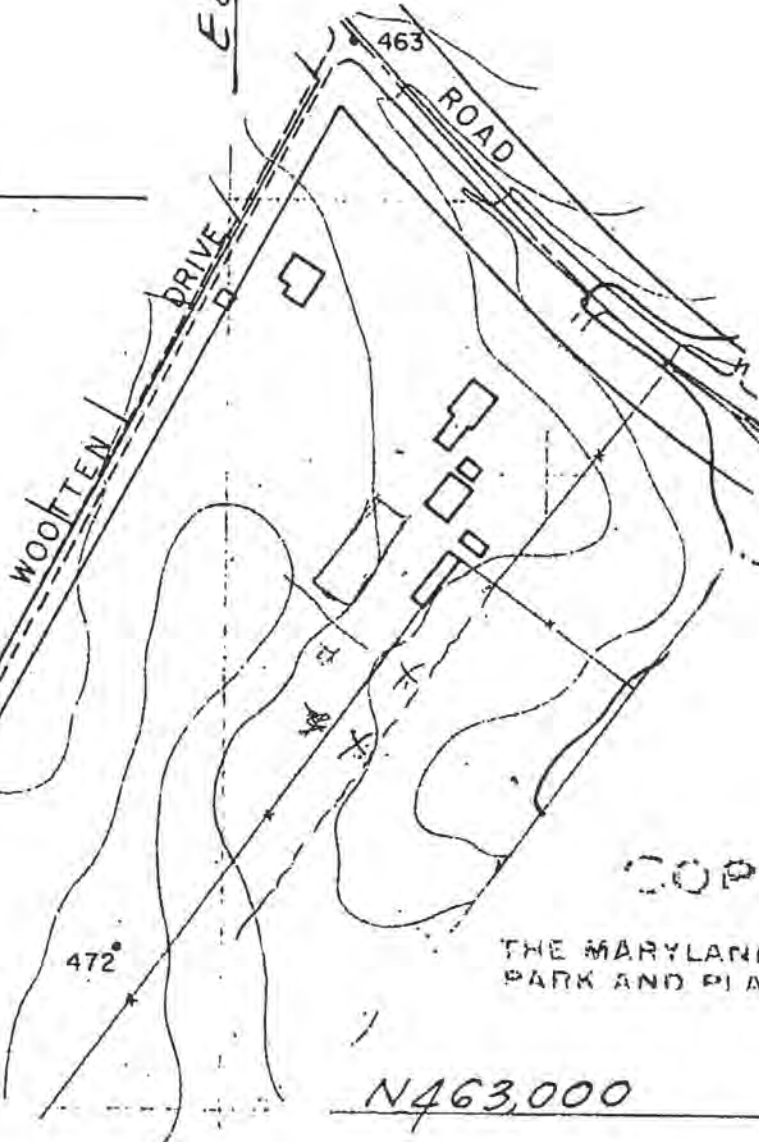
P.S. Plumber would
have been
Paul Bounds,
Laurel, Md.

10/25/74
CALVERTON
ELKS LODGE
M-223

E 822,000

N 464,000

5' CONTOUR
INTERVAL



SCALE 1" = 200'

COPYRIGHT

THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

N 463,000

THIS TOPOGRAPHIC SURVEY WAS COMPLETED BY PHOTOGRAMMETRIC METHODS AND THE
1967 THE CONTINUED REVISIONS FOR THE DATE 10/25/74
OF THE FULL CONTOUR INTERVAL FOR 10 PERCENT OF THE AREA WAS
TO BE DONE IN THE REVISIONS. THE REVISIONS OF THE SURVEY
OF THE FULL CONTOUR INTERVAL FOR 10 PERCENT OF THE AREA WAS

MONTGOMERY COUNTY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Rockville, Maryland

Percolation testing for 10-31-1974
permit to use existing system

Percolation Testing Record

Subdivision 4343 Sandy Spring Rd Number 5137
Date 1/3/75 By HEW

| | PRETEST | | TEST | | PRETEST | | TEST | | REMARKS |
|--------------------|---|--------|----------------|--------|----------------|-------------|----------------|---|--|
| Lot | Depth | Time | Depth | Time | Depth | Time | Depth | Time | |
| Blk. | 14'4" | 1235 | 14'3" | 1300 | 1'9 5/8" | 1237 | Z | | Soil changes at 4'6" to a more sandy type. |
| Set | 13'10" | 1155 | 14' | 1235 | 1'9" | 1157 | | | |
| | 6" | 40M | 3' | 25 | 5/8 | 40M | | | |
| | Total Depth | 14'9" | Total Depth | | Total Depth | 2'3" | Total Depth | | Min. @ |
| Lot | See attached Plot Plan for test hole site. See | | | | | | | | see next sheet |
| Blk. | | | | | | | | | |
| Set | | | | | | | | | |
| | Total Depth | | Total Depth | | Total Depth | | Total Depth | | Min. @ |
| 1.9.75 Lot RWH | 2'10 3/8" | 0915 | | | | | | | 13' H ₂ O in Hole. |
| Blk. | 2'10 3/4" | 0845 | | | | | | | |
| Set | 1/8 | 30 | | | | | | | |
| | Total Depth | 4' | Total Depth | | Total Depth | | Total Depth | | Min. @ |
| 1.31.75 Lot RWH | 4'9 1/8" | 0950 | 4'8 1/4" | 1008 | 3" | one sock in | Hole. | Located 25' to | located 25' to rear and 20' left of previous test downgrade |
| Blk. | 4'6 1/2" | 0920 | 4'7 1/4" | 0950 | | | | rear and 20' left of previous test downgrade. | |
| Set | 2 5/8" | 30 | 1" | 18 | | | | | |
| | Total Depth | 5 1/2' | Total Depth | 5 1/2' | Total Depth | | Total Depth | | Min. 1/3 @ 5 1/2' + 15 |
| Lot | | | | | | | | | |
| Blk. | | | | | | | | | |
| Set | | | | | | | | | |
| | Total Depth | | Total Depth | | Total Depth | | Total Depth | | Min. @ |
| Lot | | | | | | | | | |
| Blk. | | | | | | | | | |
| Set | | | | | | | | | |
| | Total Depth | | Total Depth | | Total Depth | | Total Depth | | Min. @ |

SPENCERVILLE
ROAD
(SANDY SPRING ROAD)
MARYLAND ROUTE 190

Perhaps the plot
plan the test results
reference. Initial
test hole shown

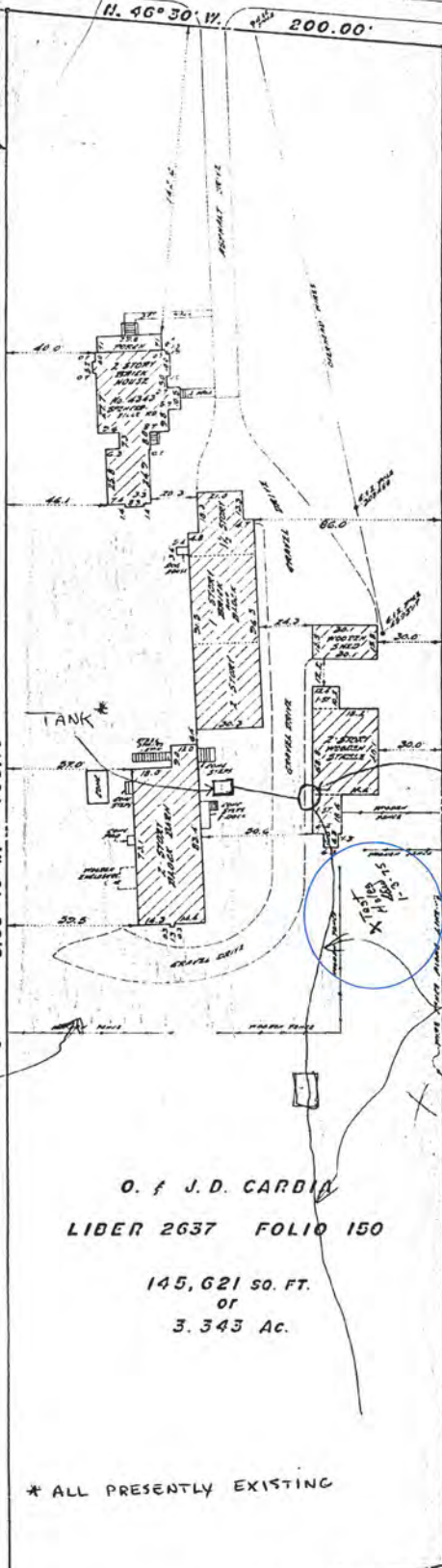
H. 46° 30' W. 200.00'



M.E. WOOTTEN
LIBER 16A1 FOLIO 10A

S. 30° 45' W. 750.79'

BLUESTONE
PARKING AREA
(SHADED)



N. 50° 45' E. 702.40'

DRY WELL

LAGOON

R.R. & M.W. HUNT
LIBER 2705 FOLIO 375

O. & J.D. CARDIA
LIBER 2637 FOLIO 150

145,621 SQ. FT.
OR
3.343 AC.

* ALL PRESENTLY EXISTING

S. 62° 30' E. 203.22'

R.R. & M.W. HUNT
LIBER 2705 FOLIO 375

Approval

881-7976

February 10, 1975

Calverton B.P.O. Elks #2465, Inc.,
15440 Columbia Pike
Burtonsville, Maryland

RE: Application #5137
4343 Sandy Spring Road
Burtonsville, Md.

Gentlemen:

On January 3, 1975 satisfactory percolation tests were conducted
on the above referenced property for Application #5137.

Sincerely,

Neil A. Wright, Chief
Water Supply & Pollution Control

NAW:RML:mb

FOWLER ASSOCIATES, INC.

Civil Engineers • Land Surveyors • Planners

Off-site dispute, but shows a sketch of well and septic on our lot.
That may be out of date information. Well should not be that close to the sewer.
Should have been addressed when sewer was upgraded 1974-1795 permit.

TELE / FAX NUMBER (301) 762-3689

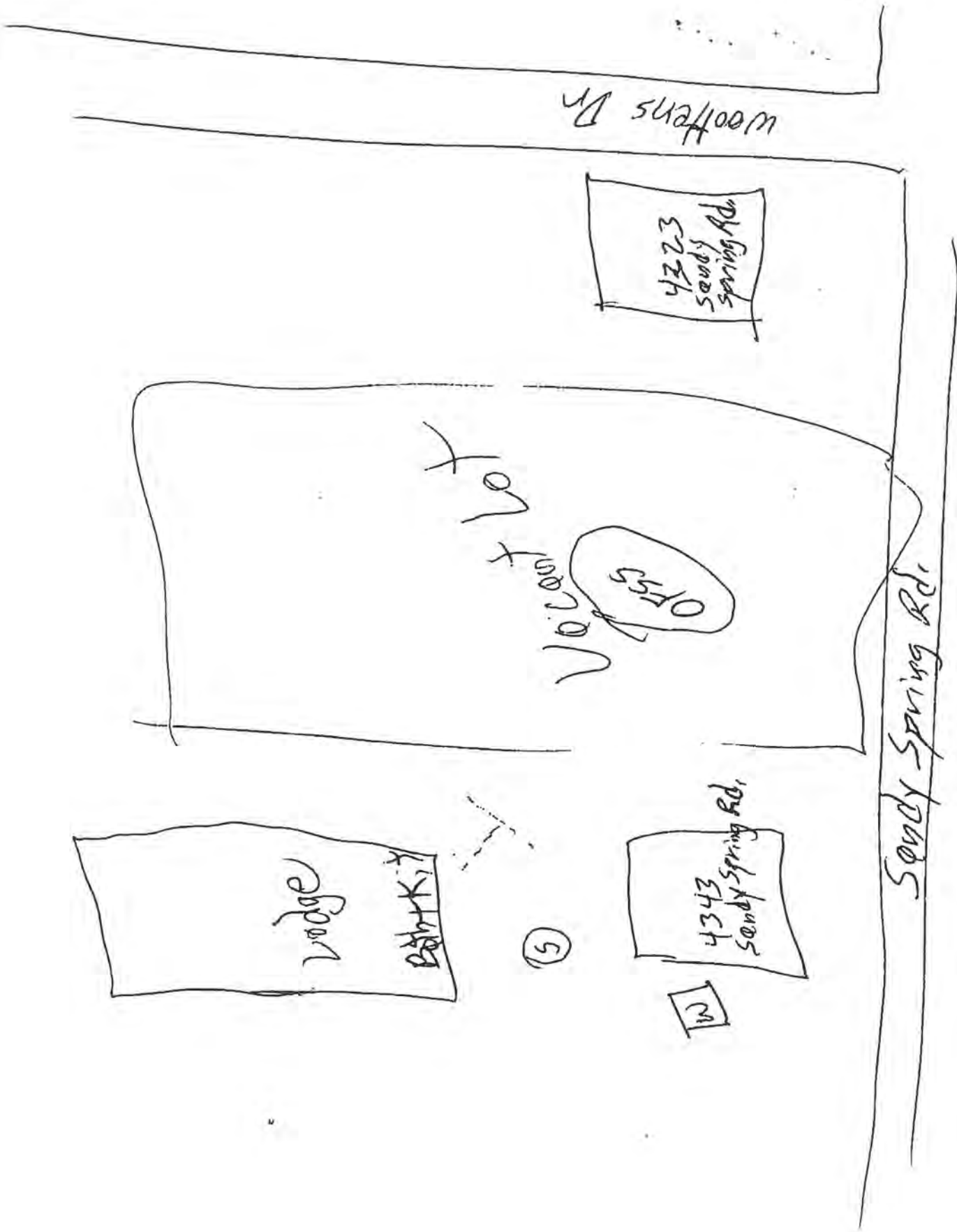
TO: MCDPS Well & septicATTN: Gary

TELE / FAX NUMBER: _____

FROM: GARYDATE: 10/15/03 TIME: _____JOB NAME: Valley Stream Est.JOB NUMBER: 03 001DESCRIPTION: Xerox - LOD s/d sheet
P/O saw planHARD COPY TO FOLLOW _____ yes via: mail _____ messenger _____ pick-up _____
X noThis transmittal contains a total of 3 pages (Including cover).

If there are any problems with this transmittal, please call the telecopier operator at (301) 762-2377.

REMARKS:





DAILY WORK SHEET WELL & SEPTIC

Date: 10/15/03
Date Inspection Requested For: 10/16/03
Approx. Time: _____ Permit No.: _____
Location: 15109 Wootens Dr. (La?)

Lot: 18 Blk: B Subdivision: Valley Stream Est.

| | | | | |
|-------------------------------|-------------------|--|---------------|--|
| Owner: _____ | TYPE OF WORK | | | |
| Occ: _____ | | | | |
| Phone: _____ | Perc. Test: | | | |
| Mail to: _____ | S.S. Insp.: | | | |
| _____ | Well Insp.: | | PA. | |
| Installer: _____ | Well Grout: | | | |
| Requested by: _____ | Pub. Sewer Conn.: | | | |
| Phone (O): _____ | Pub. Water Conn.: | | | |
| Phone (H): _____ | Pool Drainage: | | | |
| Notes: <u>House C Wootens</u> | Water Samples: | | | |
| <u>4323 Wootens</u> | Bact.: | | Stand. Chem.: | |
| _____ | Spec. Chem. | | | |

Ex. house - check for OFSS - may
be off site or up at lot 15 -
See plan. Disput between owner and
developer. P.S. will be avail.
Pl. determine if SS is available.

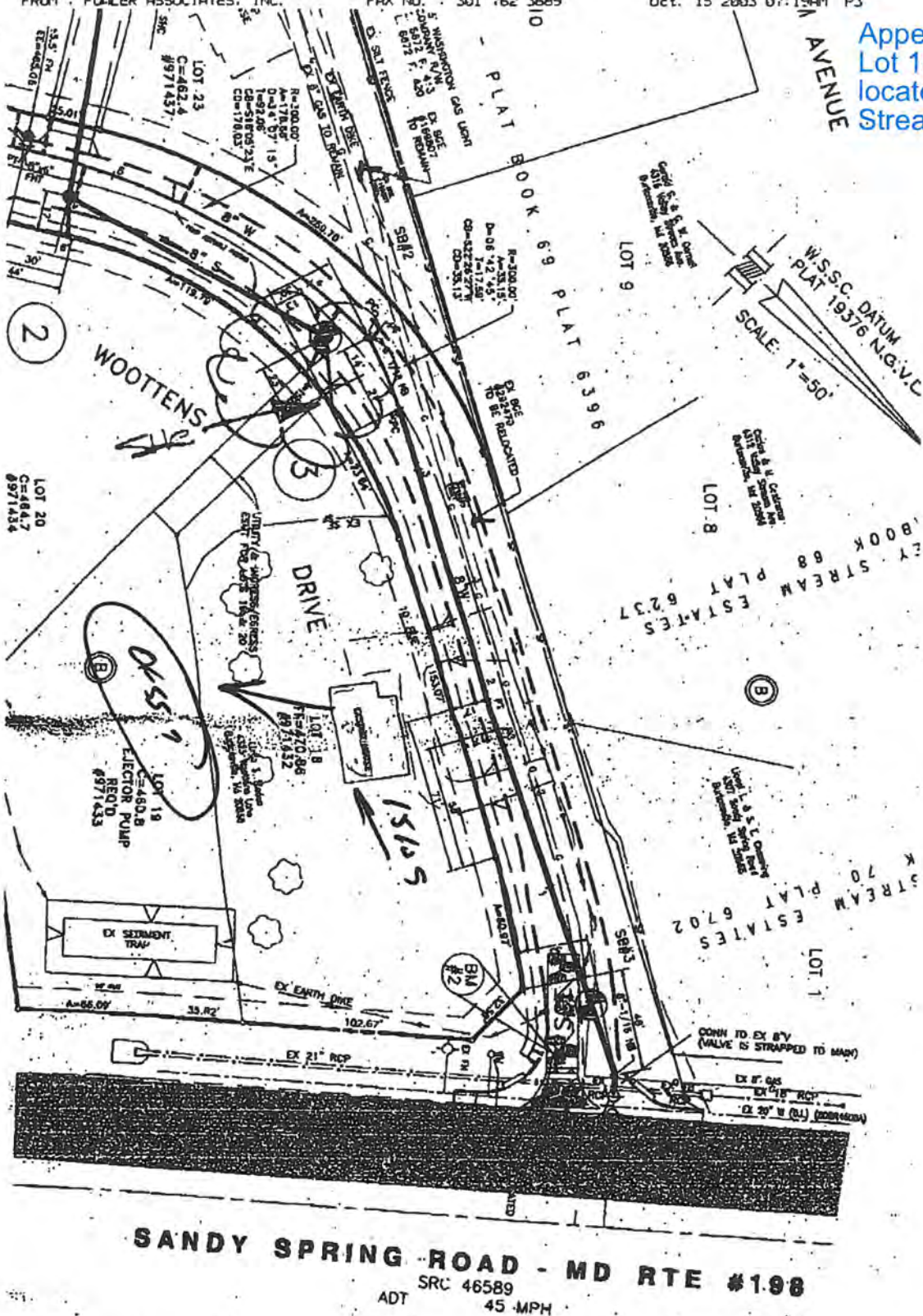
By: Ellis Lodge 4343
301-421-9888 Sandy Spring Rd.

FROM : FOULER ASSOCIATES, INC.

FAX NO. : 301 762 3689

Oct. 15 2003 07:19AM P3

Appears the dispute was
Lot 18 sewer system was
located on Lot 19 of Valley
Stream Estates



SANDY SPRING ROAD - MD RTE #198

SRC 46589
ADT 45 MPH

- | | | |
|---|--|--|
| <p>BLOCKIN</p> <ol style="list-style-type: none"> 1. STRAP F 2. DO NOT I 3. BLOCK, H 4. DETAIL I | <p>SEP GI</p> <ol style="list-style-type: none"> 1. NOTIF. 2. CONTR. 3. ADVANC. 4. COORD. 5. WILL. 6. MEET. 7. ALL MC 8. WITH 1 9. SEP. 10. ALL MC 11. AND 1P 12. W.S.S. 13. APPLIC 14. FOR TH 15. SPECIF 16. THE AF 17. STAKE 18. APPLIC 19. NOTICE 20. AND AF | <ol style="list-style-type: none"> 4. ALL 5. DESI 6. FIEL 7. FIRE 8. ALL 9. THE 10. WERE 11. SERV 12. FOR 1 13. SEE 14. PROV 15. SEE |
|---|--|--|

*10-20-03
64-20-03
dry pipe in sewer for
owner in contact*



Department of Health & Human Services
Licensure and Regulatory Services
255 Rockville Pike, 2nd Floor – Rockville, MD 20850
Telephone: 240-777-3986 Fax: 240-777-3088

REQUEST FOR APPROVAL

Date: 09/08/2009

To: Well & Septic Office
From: DHHS, Licensure & Regulatory Services

Your office is requested to make the necessary inspection(s) to allow this office to issue a **Food License** to the following facility:

Facility Name: Silver Spring Moose Lodge #658

Location: 4343 Sandy Spring Rd. Burtonsville, MD 20868

Contact Person: Frank Courtney
9180

Telephone: 301-655-9742/301-495-

FAX: 301-595-8850

REMARKS:

9/14/2009 No surface evidence of an
overflowing septic system. Designed
at original system for 750 gallons
maximum capacity per day. EAT

(☒) APPROVED Date: 9/15/2009 (☐) DISAPPROVED

SIGNATURE of Well & Septic Inspector: Edward A. Turner, P.E.

Environmental Health Inspector assigned to this event is:

EXHIBIT "Q-2"
SEPTIC CALCULATIONS

Septic Calculations
4343 Sandy Spring Road

1. The design flow for the house is more demanding than the potential design flow for the school:
 - The five bedroom house has a design flow of 750 gallons per day (gpd) for every day of the week.
The total demand on the system would be **5,460 gallons** per week.
(750 x 7 = 5,460)
 - The school's potential demand would be the sum of everyday of the week.
The total potential demand on the system would be **2,865** gallons per week
(60 gpd on Monday + 780 gpd on Tuesday + 60 gpd on Wednesday + 780 gpd on Thursday + 60 gpd on Friday + 1,125 gpd on Saturday + 0 gpd on Sunday)
The overall flow for the school would be **47% less** than the flow for the existing house.
2. The existing tank is sized to hold a 48 hours storage capacity and the existing tank is known to be a 1,500 gallon tank.
 - The maximum 48 hour demand is the sum of the demand of both Friday and Saturday. Saturday, and Sunday being the consecutive days of the week with the Saturday the day with the highest demand. Friday having the higher demand of Sunday.
Maximum 48 hour demand is 1,185 gpd.
(60 gpd on Friday and 1,125 gpd on Saturday)
3. Using the average GPD for the proposed use and the commercial application rate of 0.390, the trench length needed is 75 LF, which is the length of the existing trench.
 - The permit from 1965 (A-4709) list information on the trench as "75 ft. long by 14 ft. deep by 4ft wide filled with 7 ft. of 2-inch stone."
 - Using the average GPD
All GPDs per day / days of the week
 $2865 / 7 = 409$ GDP (average)
 $409 / 0.39 = 1,049$
 $1,049 / 14 = 75$ LF of trench. 75' LF of trench exist per notes on the Construction Permit.

Anita E. Allen
Sill Engineering Group, LLC
11130 Dovedale Court, Suite 200
Marriottsville, MD 21104
Office: 443-325-5076
Fax: 410-696-2022
Cell: 443-897-3046
Website: www.sillengineering.com

History of Septic for 4343 Sandy Spring Road by Rachael Breza (Hofmeister & Breza)

Notes as of 5/14/18:

- 1927 house built (well and some type of septic would have been installed at that time and appear to be located near the house)
- 1965 Construction Permit (Application # 4709) granted to Mr. Orlando Carbia (Owner) for excreta disposal system for existing 5 bedroom house
 - permit application describes well as existing
 - includes a hand written note : "1"-10 min W 7' , + 14'" which may be the percolation test results
 - permit application describes existing septic tank (750 gallon hand-written note)
 - permit describes existing gallons per day (GDP). Tanks are normally sized to handle 2x the GDP. The tank they describe in this permit could be a 1,500 GDP tank.
 - percolation testing was completed
 - new absorption system to be located in same place as test holes
 - 1 trench 75 ft. long by 14 ft. deep by 4 ft. wide filled with 7 ft. of 2-inch stone
 - septic system approved with completion certificate signed and dated 11-22-65
 - assume system was designed for barn building to be used to raise research animals
- 1927 to 1975
 - At some point during this time period the barn building was used for raising experimental laboratory/research animals. I assume adequate septic was installed near the barn building during this time most likely in 1965 as described above
- 1974 DEP Application for a Construction Permit (Application #5137) granted to ELKS to use an existing excreta disposal system to serve an existing building for (1) dwelling and/or for (2) Private Club
 - References Septic tank as 1500 gallons (top of tank to be within 18" of finished grade)
 - Plans show septic tank and drywell located near the lodge building
 - 1975 Elks obtained a Special Exception to change the barn into a lodge.
 - January 3, 1975 Percolation Tests were conducted and passed. Perc testing record provided.
 - Adequate sewage capacity approved
 - Use as a lodge would use significantly less water/sewage than the prior use as a facility for raising experimental research animals
 - Hand written note, the well was tested at this time (Jan. 1, 1975)
- 2009 Moose installed a commercial freezer for a commercial kitchen
 - Food License was granted by DHHS (Dept of Health & Human Services)
 - additional on-site septic inspections were completed and passed
 - DPS Well and Septic approved renovation May 16, 2009
 - September 14, 2009 - No surface evidence of an overflowing septic system found by Well and Septic Office Inspection
 - Reference made to original 750 gallon maximum capacity per day, but does not mention the 1500 gallon tank installed in 1965.

**Silver Spring Moose Lodge #658
4343 Sandy Spring Rd.
Burtonsville MD 20910.
(301) 655-9742**

5/16/2018

Rachael Breza or to whom it may concern

Re: Status of septic system Silver Spring Moose lodge #658 located at
4343 Sandy Spring Rd. Burtonsville MD 20866.

The Moose Lodge purchased the above location and used the existing septic system since 2009 with no problems, backups or issues. The septic system has been serviced about every 2-3 years with little to no buildup. Two years ago we were told the system didn't really need servicing yet, but we did have it serviced. It was told to me it stays so clean because we regularly use septic system cleaner in our drains.

Montgomery County in 2009 originally inspected and approved the use of the septic system, when there was a decision that the Moose Lodge was not able (or reasonably able) to connect to the city sewer system.

The Moose Lodge in the past 9 years had Moose meetings, members social quarters "bar & food service" parties, weddings, community service events some with hundreds of people using our facilities with no problems.

Thanks



Frank Courtney
Administrator

Silver Spring Moose lodge #658

Address Lookup

Address: 4343 Sandy Springs
Ex: 14501 Sweetzer Lane, Laurel
14501 Sweetzer Lane, 30707
14501 Sweetzer Lane

Go

Address Results

4343 SANDY SPRING RD, BURTONSVILLE, MD, 20866/MD

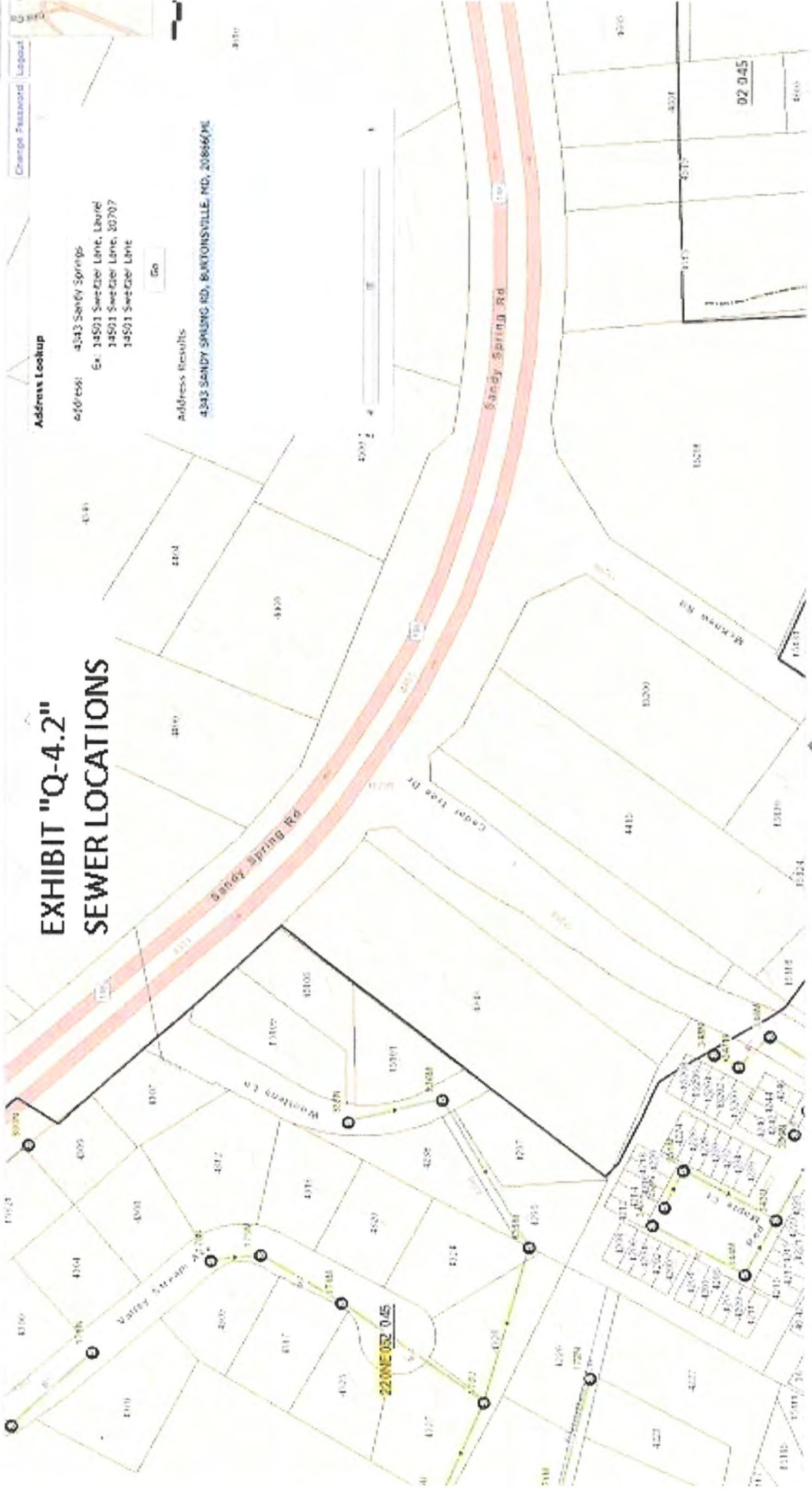


EXHIBIT "Q-4.2"
SEWER LOCATIONS

Exhibit "G": G-1 through G-19 Photo List 5/14/18 Inspire, LLP Conditional Use Application

Exhibit G-1 Access & Signage 1113171252_resized

Exhibit G-2 Access 1113171253_resized

Exhibit G-3 Access 1113171253b_resized

Exhibit G-4 Access Accel Decel Lane 1113171253a_resized

Exhibit G-5 Access view to opposite side of street 1113171252a_resized

Exhibit G-6 Aerial Map - existing conditions of Property 4343 Sandy Spring Rd - Google Maps

Exhibit G-7 Aerial Map - Surrounding Community 4343 Sandy Spring Rd - Google Maps

Exhibit G-8 Photo Storm drains & Distance to Surface Waters

Exhibit G-9 Trees 1113171320_resized

Exhibit G-10 Trees 1113171320a_resized

Exhibit G-11 Trees 1113171320b_resized

Exhibit G-12 View from Cedar Tree Dr 1 IMG_5476

Exhibit G-13 View from Cedar Tree Dr 2 IMG_5477

Exhibit G-14 View from Cedar Tree Dr 3 IMG_5478

Exhibit G-15 Surface Waters Measurement

Exhibit G-16.1 Map Aerial Photo 2015 Montgomery County Map

Exhibit G-16.2 Map Aerial Photo 2012 Montgomery County Map

Exhibit G-16.3 Map Aerial Photo 2004 Montgomery County Map

Exhibit G-16.4 Map Aerial Photo 1993 Montgomery County Map

Exhibit G-16.5 Map Aerial Photo 1970 Montgomery County Map

Exhibit G-17.1 Sign B IMG_5534

Exhibit G-17.2 Sign B lighting

Exhibit G-18.1 Lighting rear door IMG_5555

Exhibit G-18.2 Lighting side of house IMG_5566

Exhibit G-18.3 Lighting side of lodge IMG_5562

Exhibit G-18.4 Post lighting IMG_5554

Exhibit G-18.5 Deck Lighting IMG_5553

Exhibit G-19.1 Large Tree along driveway IMG_5536

Exhibit G-19.2 Large Tree between house and neighbor IMG_5571

Exhibit G-1 Access & Signage





Exhibit G-3 Access
1113171253b



Exhibit G-4 Access Accel
Decel Lane 1113171253a

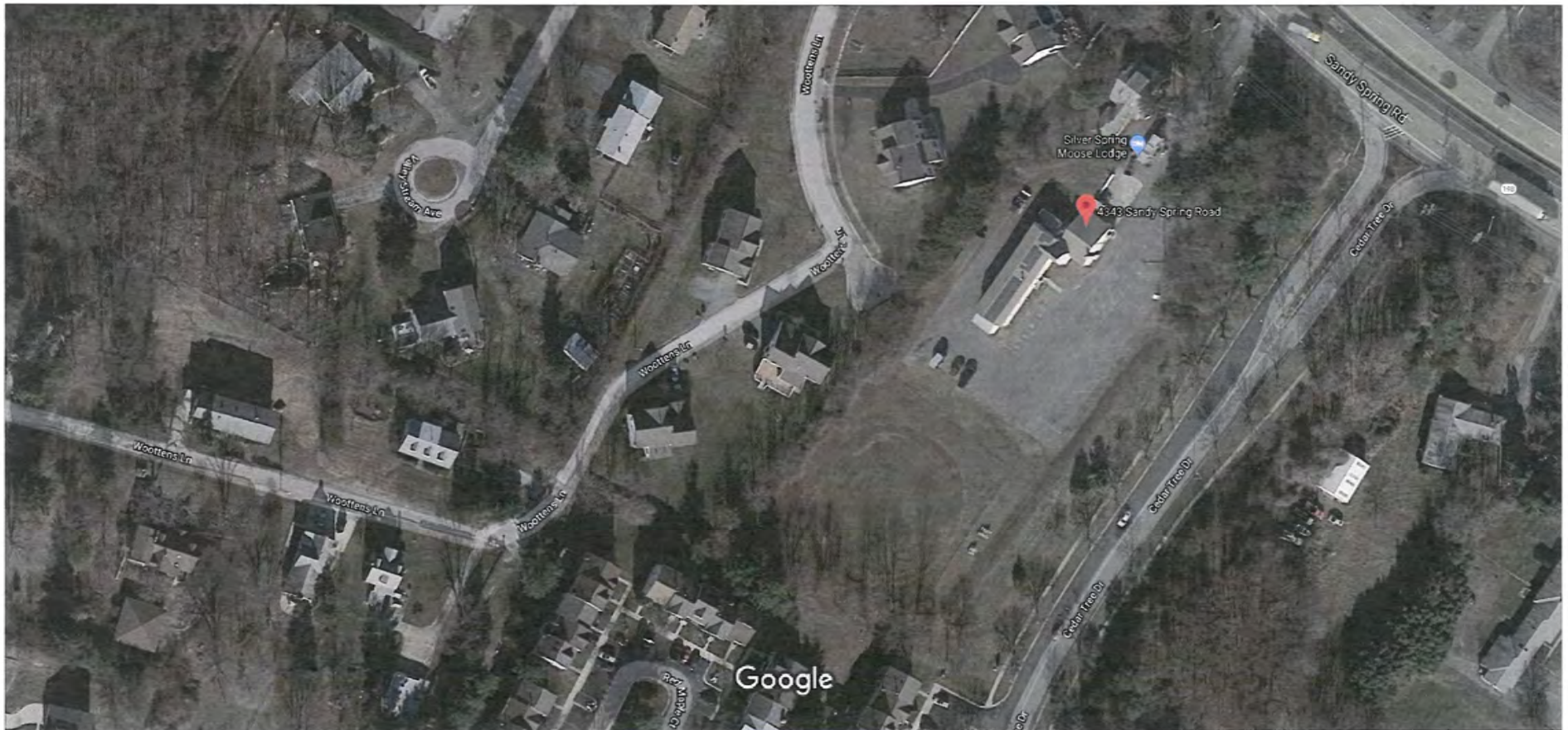


Exhibit G-5 Access view to
opposite side of street
1113171252a



Exhibit G-6 Aerial Map

Existing conditions of Property 4343 Sandy Spring Rd 2018



Imagery ©2018 Commonwealth of Virginia, DigitalGlobe, U.S. Geological Survey, Map data ©2018 Google 50 ft

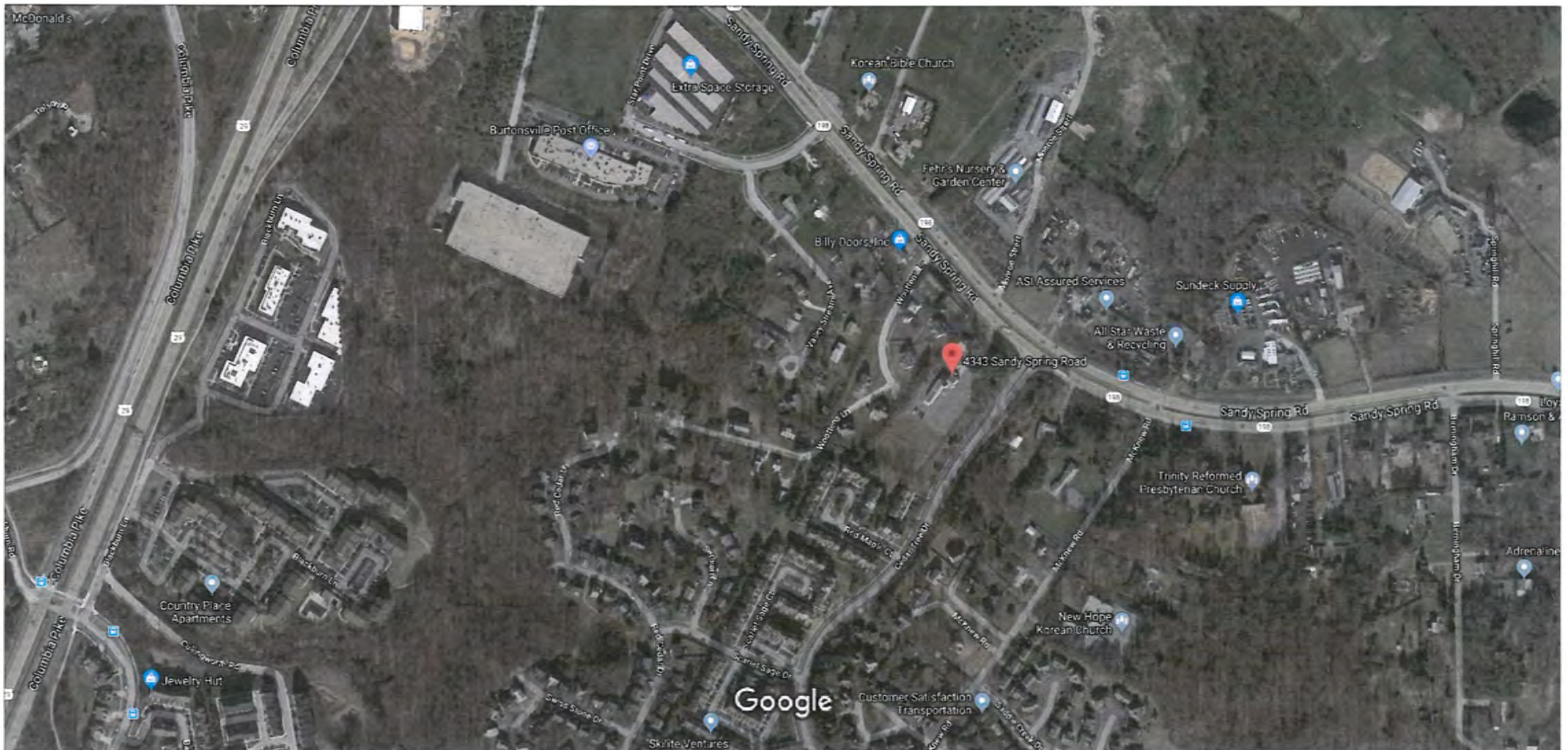
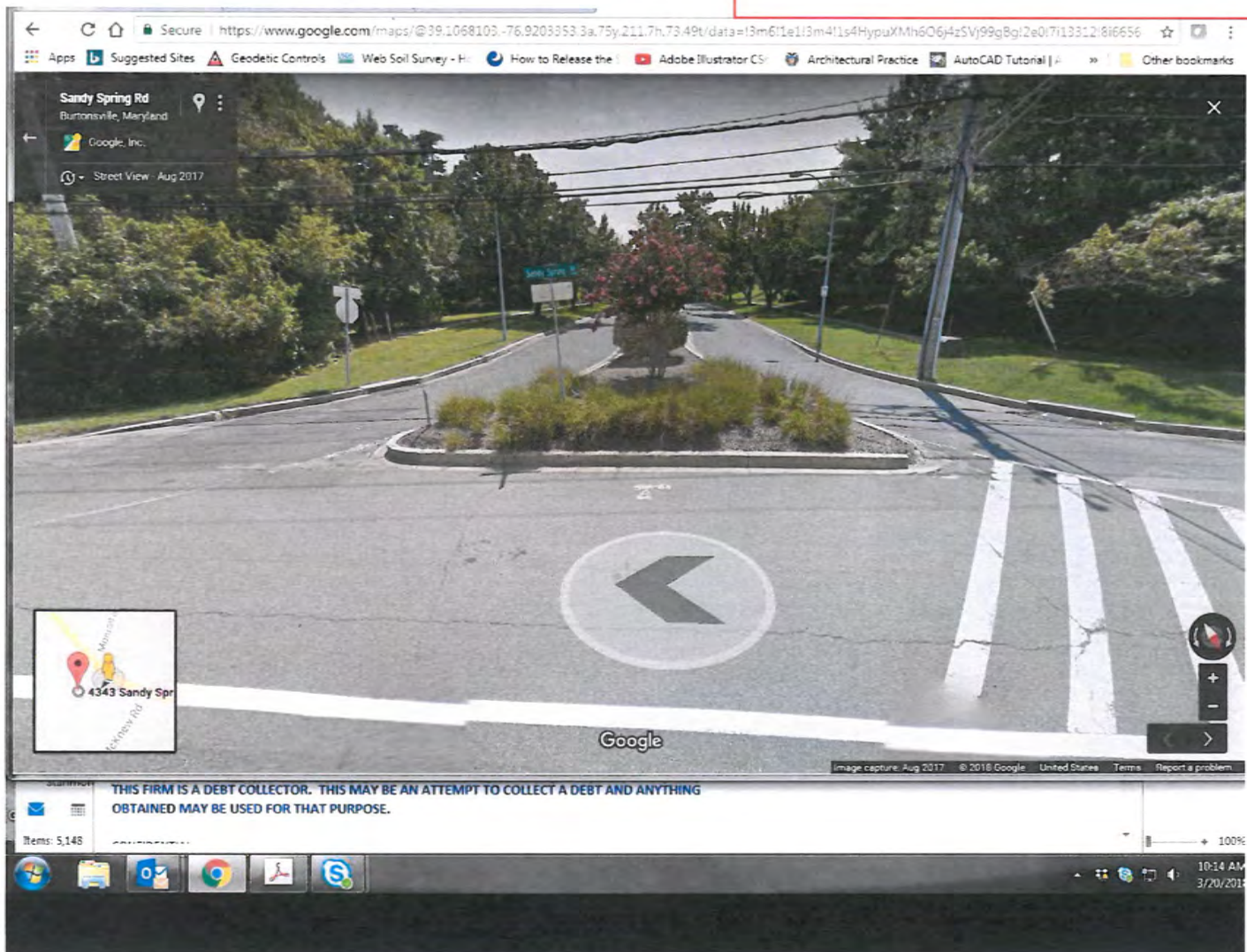


Exhibit G-8

Photo Storm drains in Cedar Tree Dr



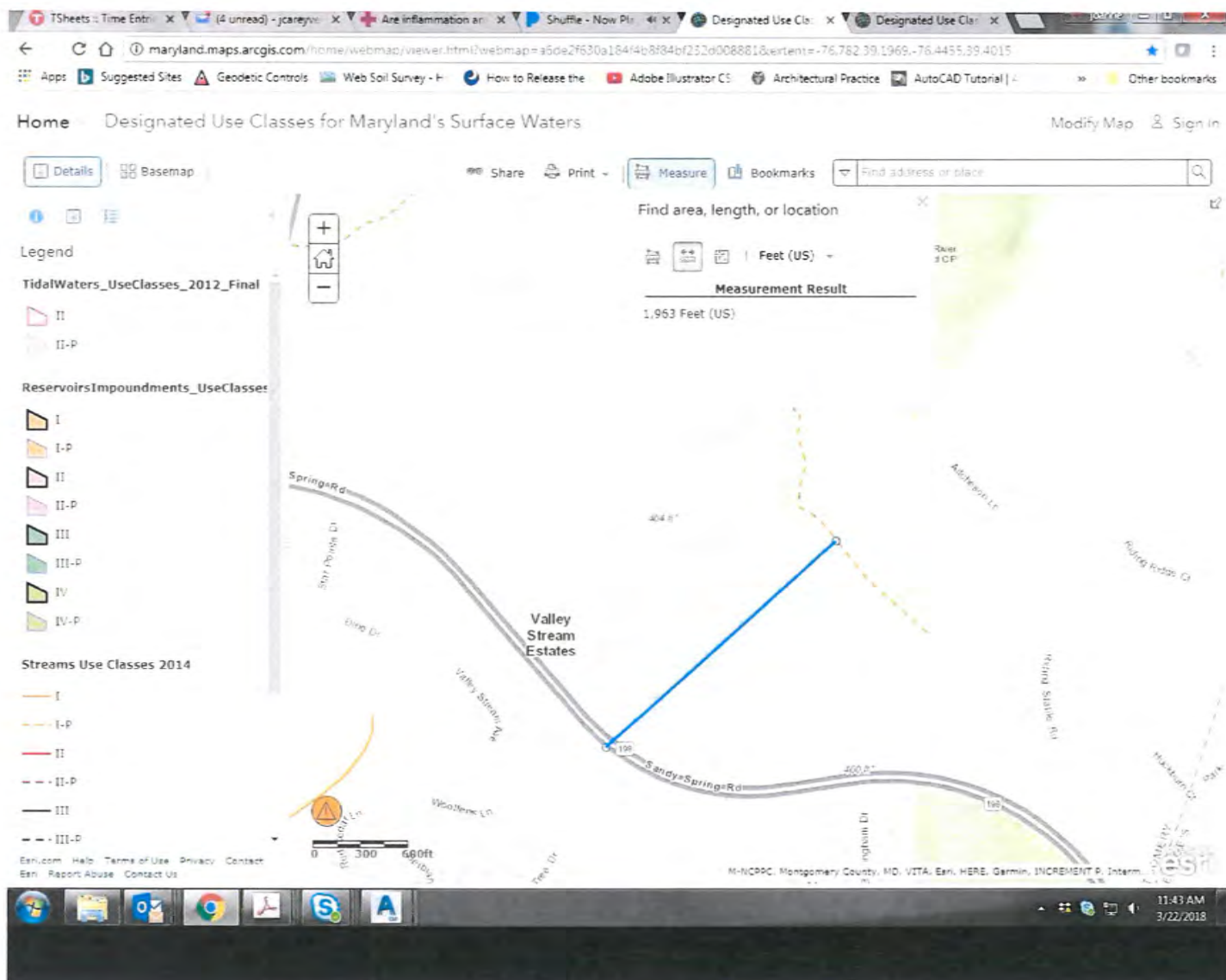


Exhibit G-9 Trees 1113171320_resized



Exhibit G-10 Trees
1113171320a



Exhibit G-11 Trees 1113171320b
& Septic Tank Location Behind SFD



Exhibit G-12 View from Cedar Tree Dr 1
IMG_5476

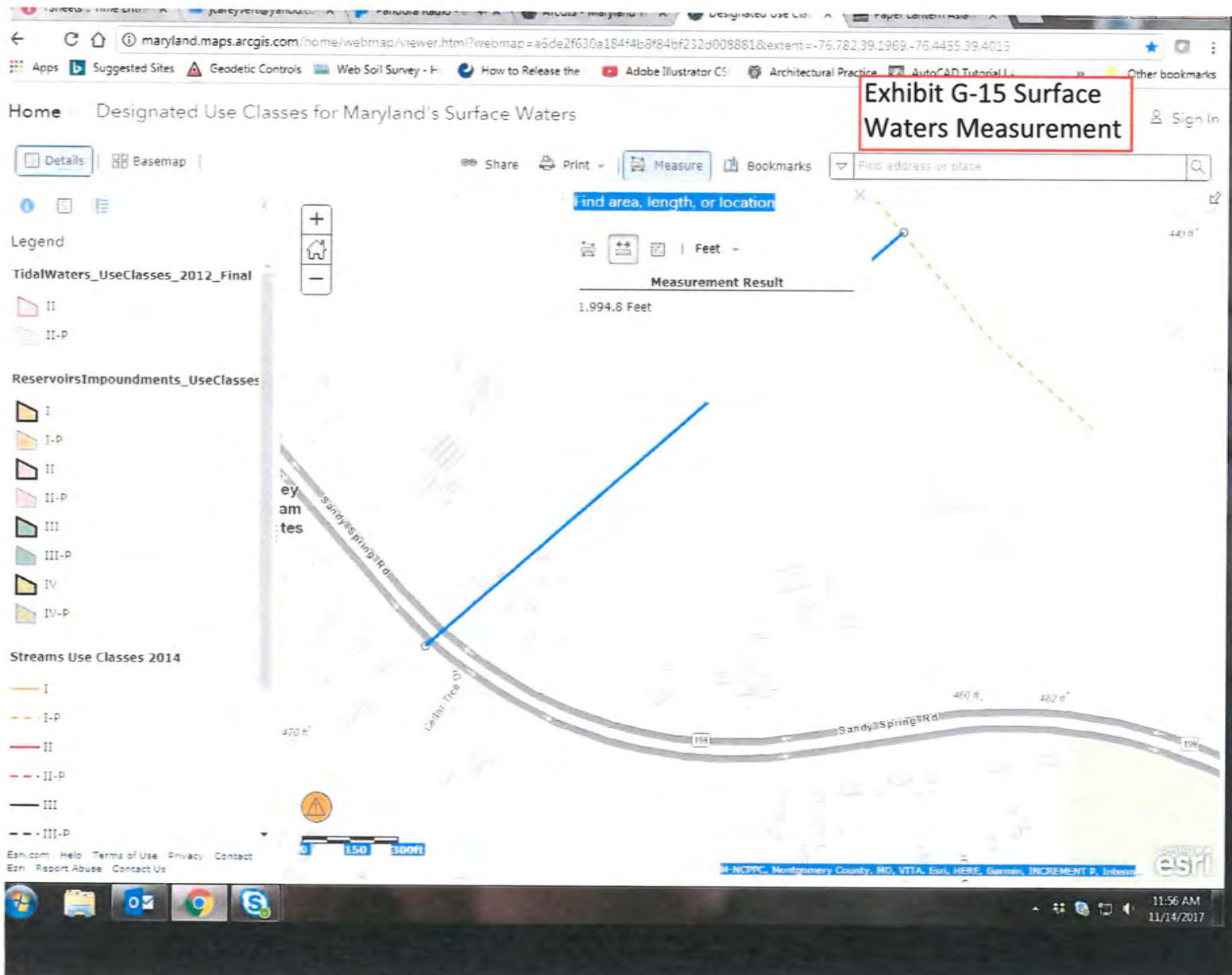


Exhibit G-13
View from Cedar Tree Dr 2



Exhibit G-14 View from Cedar Tree Dr 3
IMG_5478

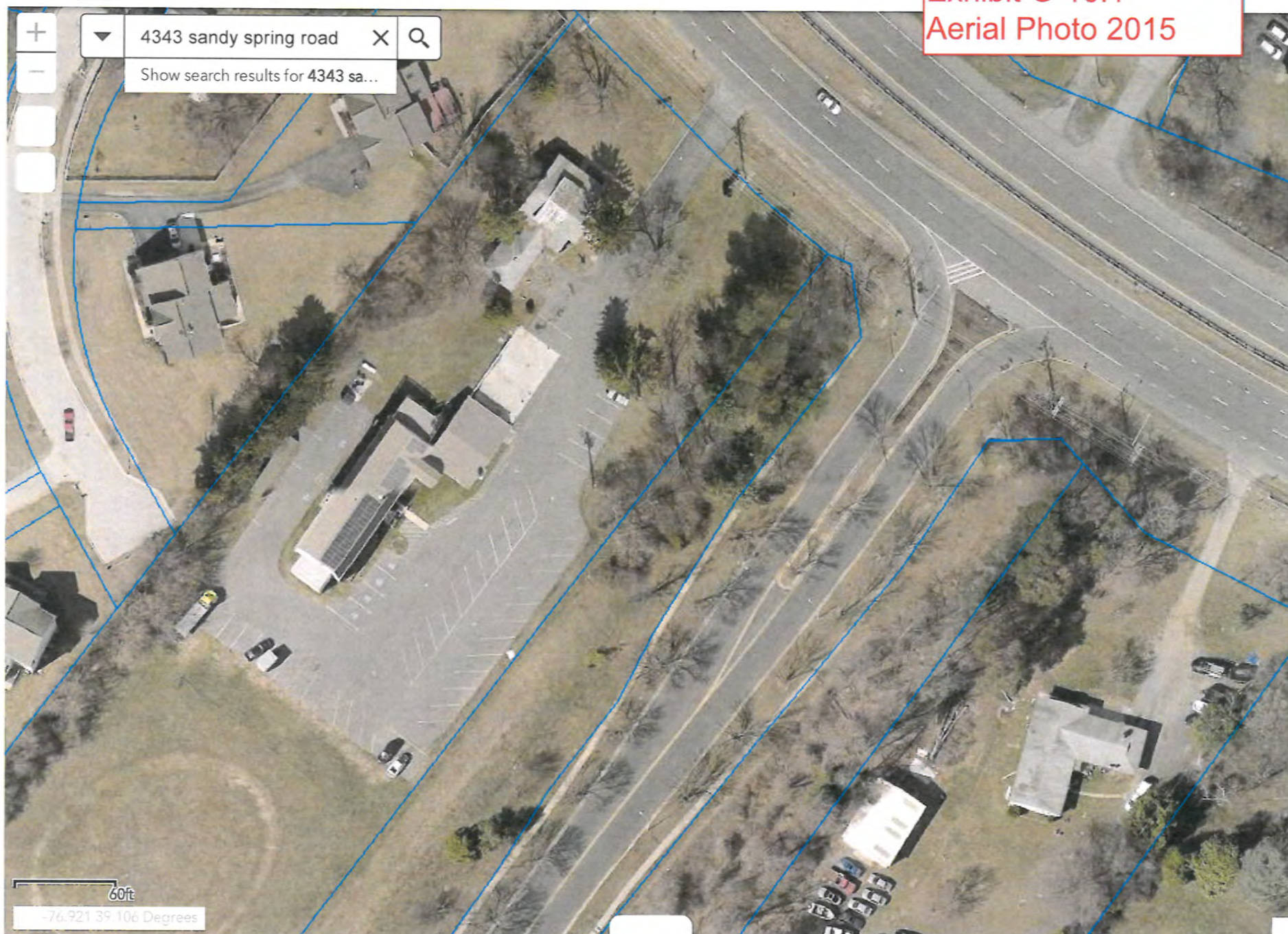






Montgomery County Map

Exhibit G-16.1
Aerial Photo 2015







Montgomery County Map

Exhibit G-16.3
Map Aerial Photo 2004





Montgomery County Map

Exhibit G-16.4
Map Aerial Photo 1993





Exhibit G-16.5
Map Aerial Photo 1970





Exhibit G-17.2 Sign B lighting



Exhibit G-18.1 Lighting rear door IMG_5555



Exhibit G-18.2 Lighting side of house IMG



Exhibit G-18.3 Lighting side of
lodge IMG

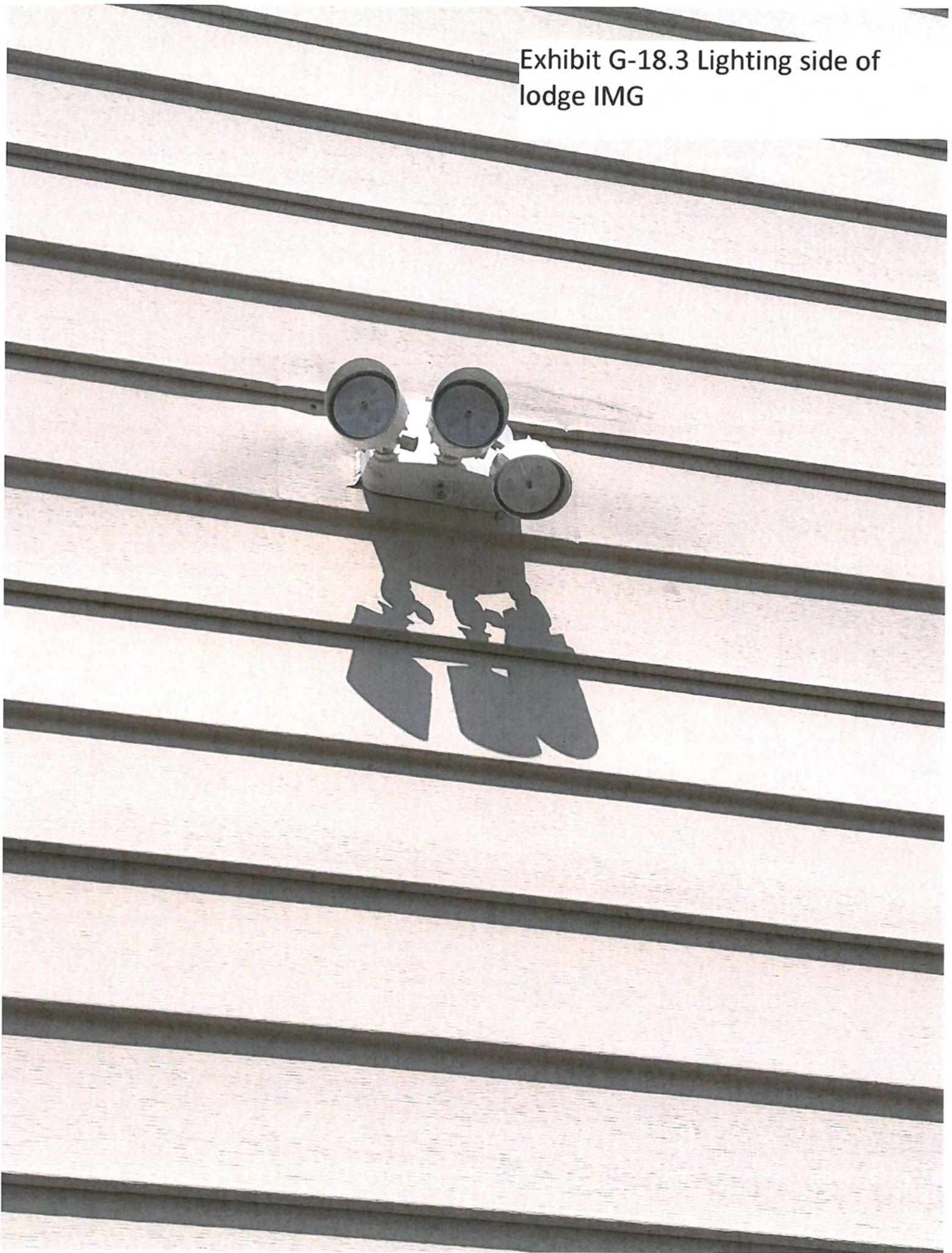


Exhibit G-18.4 Post lighting IMG_
5554

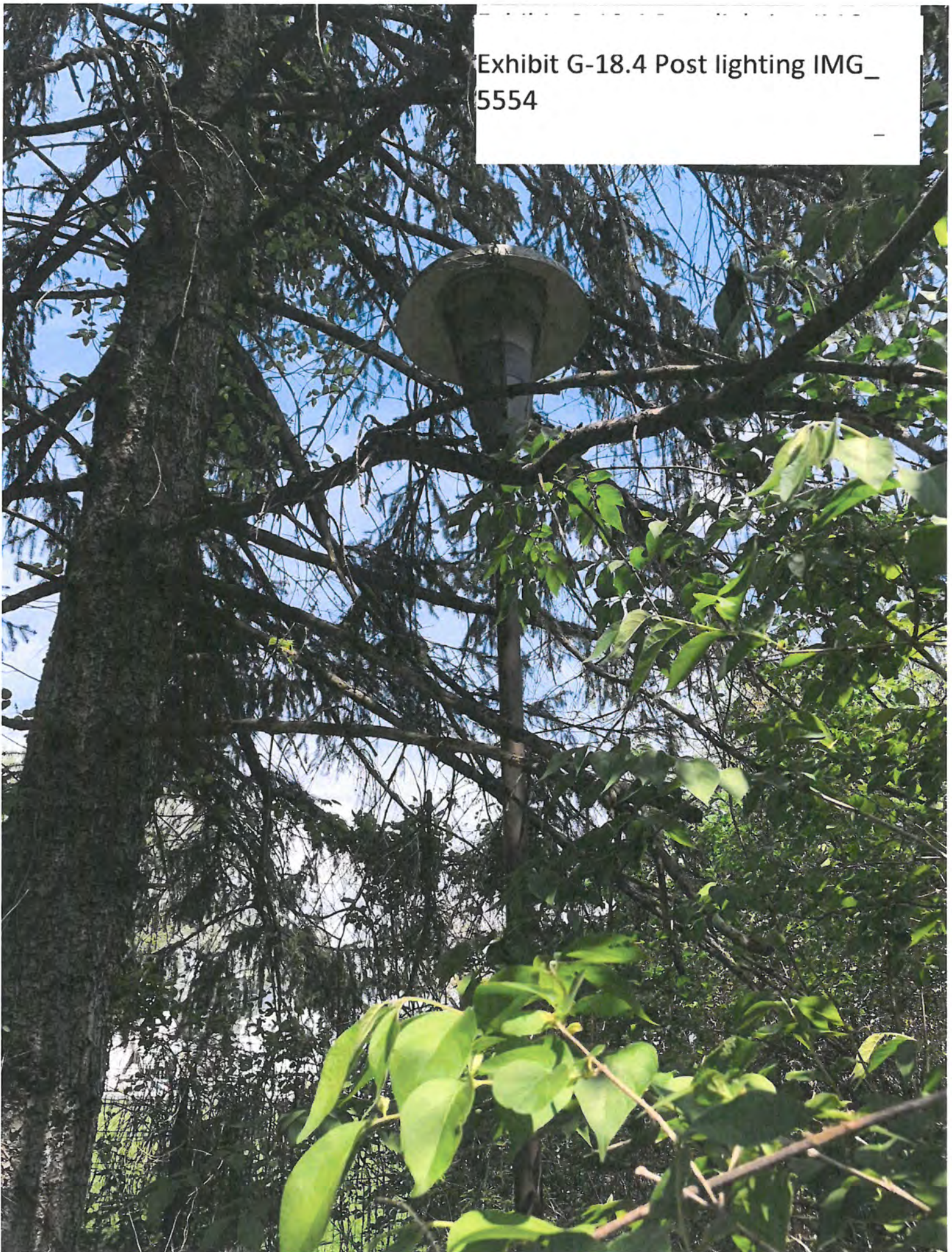


Exhibit G-18.5 Deck Lighting
IMG_5553

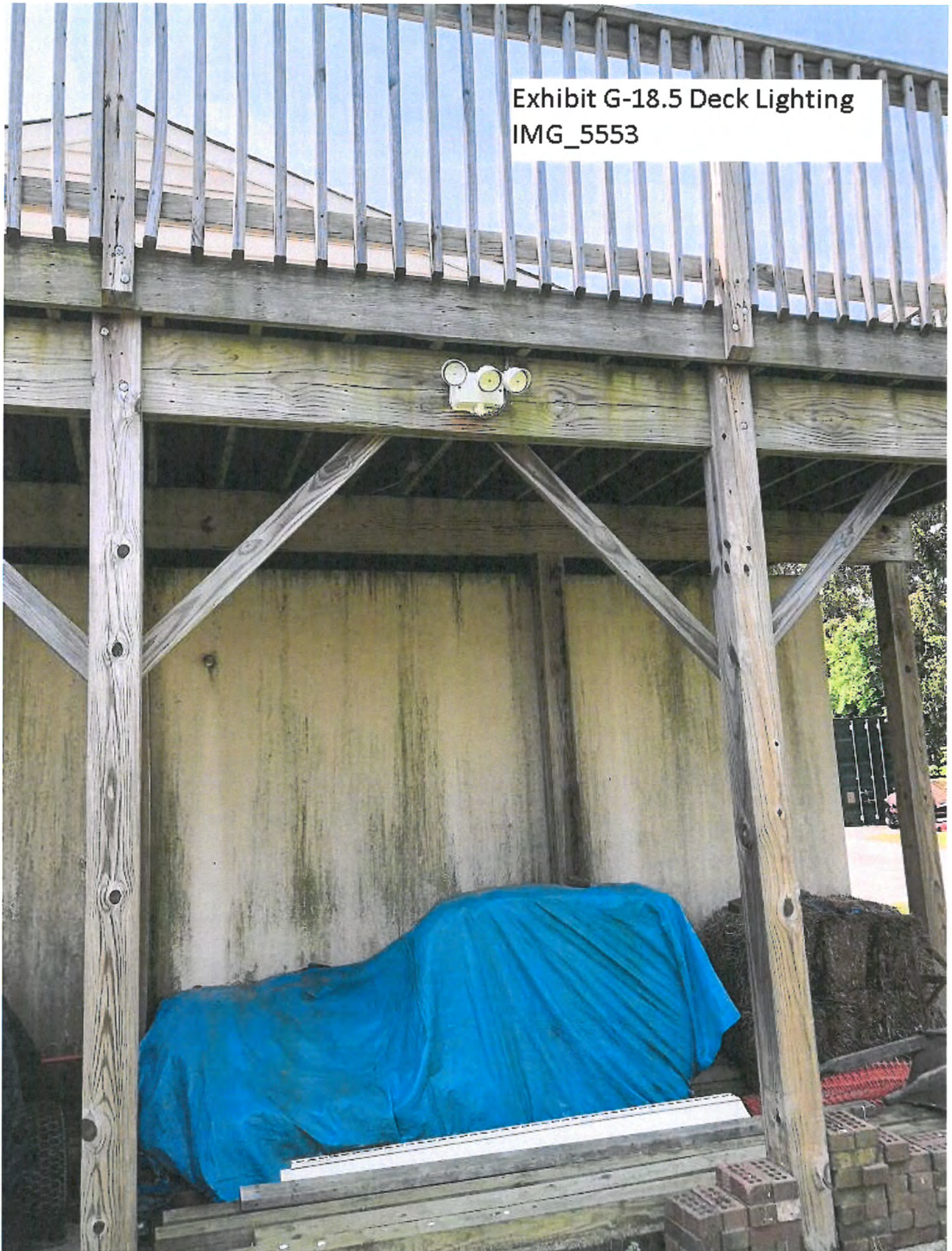


Exhibit G-19.1 Large Tree along driveway



Exhibit G-19.2 Large Tree between house and neighbor

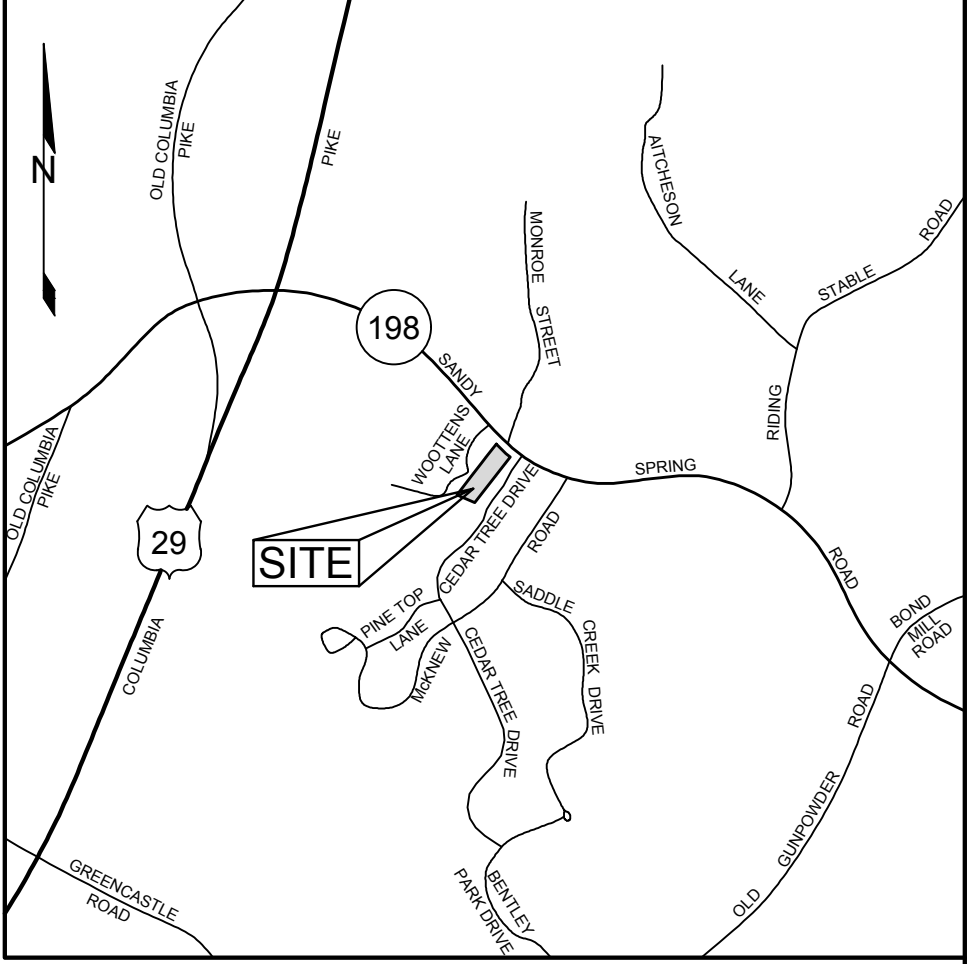


GENERAL NOTES

- SUBJECT PROPERTY ZONED R-200.
- THE BOUNDARY SHOWN HEREON IS BASED ON A FIELD RUN SURVEY PREPARED BY EYOTT, INC., FEBRUARY 2018.
- THE TOPOGRAPHY SHOWN HEREON IS BASED ON MONTGOMERY COUNTY GIS DATA.
- PROPERTY ADDRESS: 4343 SANDY SPRING ROAD.
- PROPERTY AREA: 2.85 AC ±, 124,519 SF ±.
- REFERENCE: LIBER 38879 FOLIO 467.
- INSPIRE, LLP IS A COMMUNITY SERVICE EMPLOYMENT TRAINING AND VOCATIONAL REHABILITATION SERVICE, WITH EIGHT EMPLOYEES; FOUR ADMINISTRATION AND FOUR STAFF. THE FOUR ADMINISTRATION TYPICALLY WORK 9 AM TIL 5 PM, MONDAY THRU FRIDAY, AND THE FOUR STAFF WILL WORK DURING CLASS AND ON CERTAIN SATURDAYS. CLASSES WILL BE OFFERED TUESDAYS AND THURSDAYS FROM 7:30 PM UNTIL 11:00 PM. ON OCCASION, CONFERENCES, SEMINARS AND WORKSHOPS WILL BE HELD ON SATURDAYS. MAXIMUM CLASS SIZE IS 48 STUDENTS AND THE MAXIMUM PARTICIPANTS ON SATURDAYS IS 75 ATTENDEES.
- PARKING:
 - REQUIRED SPACES: 26 PER STUDENT / 75 MAX. STUDENTS = 25 X 75 = 19. 1 PER EMPLOYEE / 8 EMPLOYEES = 1 X 8 = 8. 19 + 8 = 27 REQUIRED.
 - EXISTING SPACES: 37 INCLUDING 6 HANDICAP SPACES.
- NEAREST SIGNIFICANT FLOWING WATER TO THE SITE IS AN UNNAMED TRIBUTARY TO THE PATUXENT RIVER, USE CLASS I-P. IT IS APPROXIMATELY 1,983 FEET FROM THE PROPERTY.
- PER THE MONTGOMERY COUNTY PLANNING GIS SYSTEM, THERE ARE NO FOREST CONSERVATION EASEMENTS ON THE SITE. IT IS NOT LOCATED IN ANY HISTORIC DISTRICT, AND HAS NO HISTORIC RESOURCES ON SITE.
- THERE ARE NO KNOWN WETLANDS, STREAMS, OR THEIR BUFFERS ON SITE. PER FEMA, THE SITE IS NOT IN A FLOOD PLAIN.
- NO KNOWN RARE OR ENDANGERED SPECIES WERE OBSERVED ON SITE.
- THE SIGN MEASURES 6' WIDE, BY 3'4" HIGH. IT IS 1'6" ABOVE THE GROUND THERE ARE FREE STANDING BRICK PIERS ON EITHER END OF THE SIGN, THAT ARE 1'3" SQUARE, AND THE SAME HEIGHT AS THE SIGN.
- DENSITY CALCULATIONS FOR R-200: 6 RESIDENTIAL UNITS WOULD BE PERMITTED PER THE CURRENT DENSITY CALCULATIONS. 2.859 AC X 2.18 UNITS PER ACRE = 6.23 UNITS.
- SCREENING ALONG NORTHERN AND REAR PROPERTY LINES COMPLIES WITH ARTICLE 59-6.5. SCREENING INCLUDES EXISTING TALL MATURE TREES AND THICK VEGETATION AND RUNS THE ENTIRE LENGTH OF THE NORTHERN AND REAR PROPERTY LINES.
- LIGHTING SHALL COMPLY WITH ARTICLE 59-6.4.4.B AS FOLLOWS: (1) ANY OUTDOOR LIGHTING FIXTURE WILL BE A FULL OR PARTIAL CUTOFF FIXTURE, AND (2) ALL FREESTANDING LIGHTING FIXTURES SHALL BE MAXIMUM 15 FEET IN HEIGHT. THE EXISTING LIGHT POLE IS 12 FEET IN HEIGHT.

LEGEND

- EXISTING CONTOUR
- EXISTING TREELINE
- EXISTING DECIDUOUS TREE
- EXISTING EVERGREEN TREE
- ZONING BOUNDARY
- EXISTING WATER METER
- EXISTING WATER HOUSE CONNECTION
- EXISTING FIRE HYDRANT
- EXISTING FENCE
- DIRECTIONAL ARROW
- EXISTING MOUNTED LIGHT FIXTURE
- EXISTING UTILITY POLE WITH GUY WIRE



VICINITY MAP

SCALE: 1"=2000'

R-200 DEVELOPMENT STANDARDS-
EDUCATIONAL INSTITUTION (PRIVATE)

| | PERMITTED/REQUIRED | PROVIDED |
|--|------------------------|-------------|
| MIN. LOT AREA: 59-4.4.7.B | 20,000 SF. | 124,519 SF. |
| MAXIMUM DENSITY (EDUCATIONAL INSTITUTION-PRIVATE) 59-2.4.5.E DENSITY (87 STUDENTS PER ACRE X 2.859 ACRES) 59-3.4.5.2.C.2(b) EXTERIOR ARCHITECTURAL REQUIREMENTS FOR LOTS LESS THAN 2 ACRES. PROPERTY IS GREATER THAN 2 ACRES. THEREFORE NOT APPLICABLE | 248 STUDENTS PERMITTED | 75 STUDENTS |
| LOT WIDTH AT FRONT BUILDING LINE | 100 FT. | 193.11 FT. |
| LOT WIDTH AT FRONT LOT LINE | 25 FT. | 193.11 FT. |
| MAXIMUM LOT COVERAGE | 25% | 5.45% |

| | | |
|--|--------|------------------------------|
| SETBACKS FOR EXISTING LODGE STRUCTURE (WHICH WILL BE REUSED AS THE SCHOOL) | | |
| EXISTING LODGE STRUCTURE (TO BE USED AS SCHOOL) MINIMUM FRONT SETBACK | 40 FT. | 199.64 FT. |
| MINIMUM SIDE SETBACK 59-4.4.7.B.2 | 12 FT. | 56.7 FT. |
| SUM OF SIDE SETBACKS | 25 FT. | 134.7 FT. |
| MINIMUM REAR SETBACK: 59-4.7.7.B.3 | 30 FT. | 299 FT. |
| MAXIMUM HEIGHT 59-4.7.7.B.3 | 50 FT. | 22 FT. |
| MINIMUM REAR PARKING SETBACK: 59-6.2.5.K.2.b | 30 FT. | 218 FT. |
| MINIMUM SIDE PARKING SETBACK: 59-6.2.5.K.2.b | 24 FT. | 28 FT. NORTH 24 FT. SOUTH |

| | | |
|---|--------|----------|
| SETBACKS FOR EXISTING FRONT STRUCTURE (TO BE REUSED AS SCHOOL ADMINISTRATION IN FUTURE) | | |
| MINIMUM FRONT SETBACK | 40 FT. | 61.9 FT. |
| MAXIMUM HEIGHT BUILDING | 50 FT. | 22 FT. |
| MINIMUM SIDE SETBACK | 12 FT. | 43.6 FT. |
| MINIMUM REAR SETBACK | 30 FT. | 508 FT. |

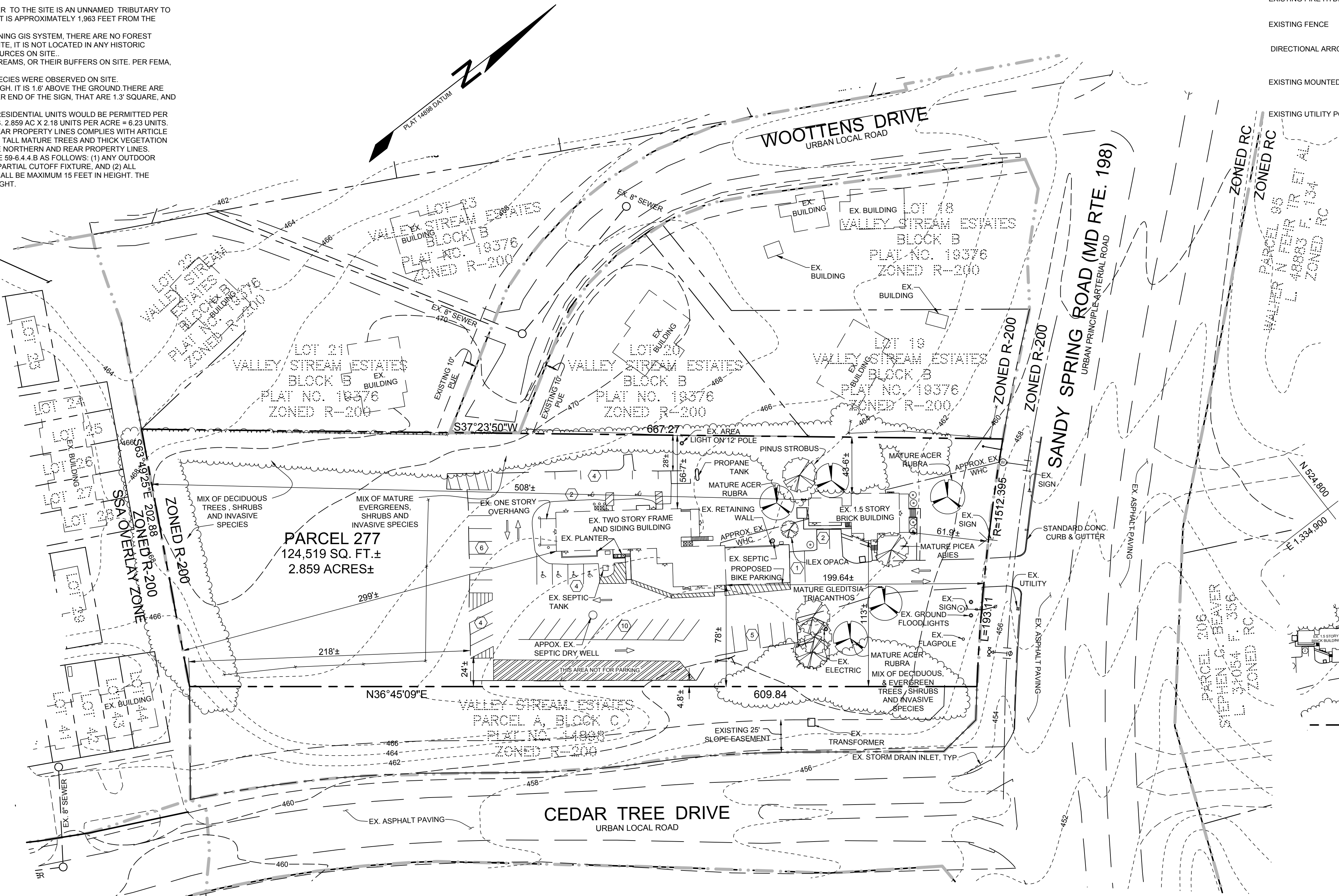
NOTE: ALL DIMENSIONS ARE ±.

PARKING STANDARDS

| | PERMITTED/REQUIRED | PROVIDED |
|---|--------------------|----------|
| VEHICLE PARKING: 59-6.2.4.B 0.25 PER STUDENT 75 MAX. STUDENTS | 19 | |
| 1 PER EMPLOYEE, 8 MAXIMUM EMPLOYEES | 8 | |
| TOTAL | 27 | 37 |
| ACCESSIBLE PARKING | 2 | 6 |
| BICYCLE PARKING SPACES | 2 | 2 |

PLAN VIEW

SCALE: 1"=50'



COUNTY BOARD OF APPEALS
For
MONTGOMERY COUNTY

Case No. S-338

PETITION OF CALVERTON B.P.O. ELKS LODGE
(Hearing held September 5, 1974)

OPINION OF THE BOARD

This proceeding is on a petition for a Special Exception pursuant to Section 59-146 of the Zoning Ordinance (Chap. 59. Mont. Co. Code 1972, as amended) to permit the construction and operation of a private club (service organization). The subject property is Parcel 277, Liber 2637, Folio 150, at 4343 Sandy Spring Road, Burtonsville, Maryland, in an R-200 Zone.

Decision: Special Exception granted.

Location of Subject Property and Nature of Request:

The applicant, Calverton B.P.O.E., Lodge No. 2465, Inc., requests a special exception for a service organization (Private Club). The property in question contains approximately 3.343 acres along the south side of Sandy Spring Road (Route 198) and approximately 500 feet east of McKnew Road. There is approximately 200 feet of frontage along the south side of Sandy Spring Road. The subject property is presently improved by a two-story, block barn; a two-story brick house; two-story and one-story block and brick buildings; a two-story wooden stable; and a wooden shed. The property is located in a rural residential area and is surrounded by a two-story house on the north, across Sandy Spring Road, a one-story single-family residence and undeveloped, vacant property on the east and south. There is a subdivision of 17 single-family homes approximately 200 feet west of the property.

Requirements of Zoning Ordinance:

In order to grant the proposed Special Exception, the Board is required to find that the proposed project meets both the general requirements governing the grant of special exceptions as enumerated in Section 59-123, and the particular requirements for the proposed use as set forth in Section 59-146. Section 59-123 requires that the Board find that the proposed use:

1. Will be consistent with the general plan for the

*Non Profit
Exception
write up*

physical development of the district, including any master plan or portion thereof adopted by the Planning Commission;

2. Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and number of similar uses;

3. Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity;

4. Will have no detrimental effect on vehicular or pedestrian traffic;

5. Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area;

6. Will not, in conjunction with the existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public improvements. Section 59-146 requires the Board to find that the proposed use will not constitute a nuisance because of noise, traffic, number of people or type of physical activity. (Provisions for food, refreshments and/or entertainment for club members and guests are also allowed in connection with such uses.)

Applicants' proposal (and how it will be implemented):

The Elks Lodge is a fraternal organization which holds social and community activities for its members. Applicant intends to use the subject facilities to hold its meetings and various functions.

It requests to be allowed to keep its lodge open from 11 a.m. to 12 midnight, Monday through Saturday, and from 2 p.m. to 10 p.m. on Sunday. It additionally requests to be allowed to keep the lodge open for special occasions until 1 a.m.

Approximately 22 to 25 members attend regular meetings,

while a special event may draw as many as 40 to 50 members. Womens auxiliary meetings usually attract 10 to 12 ladies. The applicant stated that it is willing to limit the maximum number of persons in attendance on the premises to the maximum allowed by the fire marshal.

The applicant intends to use the buildings on the subject property as follows:

1. 2 Story, Block Barn as shown on Exhibit 1 will be used as main lodge for meetings, social events, ceremonies, etc. Second floor to be used for storage only.
2. 2 Story & 1 Story Brick and Block Buildings as shown on Exhibit 1 to be used as secondary meeting rooms and storage.
3. 2 Story Wooden Stable as shown on Exhibit 1 to be used for cover from the elements for any outdoor meetings or activities.
4. 2 Story Brick House as shown on Exhibit 1 to be used as living quarters for Manager and his family.

Harmony with the neighborhood; Effect on surrounding properties:

The property is located in a semi-rural area in which the proposed use appears to be in harmony with the general neighborhood. The Montgomery County Planning Board's report indicates that the use would be compatible with surrounding uses. The applicant intends to improve the subject lot as follows:

1. Remove wooden shed.
2. Move driveway so as to provide ingress and egress to Sandy Spring Road at separate points as shown on Exhibit 5A.¹

1. This particular proposal has been rejected by the State Highway Administration, which by letter of September 24, 1974 recommended two alternate schemes for consideration.

3. Provide a blue stone gravel-covered parking lot at rear of 2-story block barn as shown on Exhibit 5A, to accommodate 70-75 cars.
4. Restore landscaping, clear excess underbrush and plant new shrubs around the exterior of the 2-story block barn.
5. Trim eight foot tall row of forsythia along the western boundary line and add a row of 6-foot tall pine trees along the remainder of this property line.
6. Retain evergreen trees along boundary line adjacent to unimproved property to the south.

Traffic:

Sandy Spring Road is a narrow, winding two-lane State Highway. It is scheduled for widening in 1975 to a four-lane divided highway. Testimony indicated that present traffic volumes on Sandy Spring Road do not appear to overburden the road, nor would the additional vehicle traffic generated by the proposed private club overburden the facility. The Planning Board notes, however, that shrubbery on the Applicants' property blocks the view of drivers exiting into Sandy Spring Road, and suggests that numbers of members attending the Lodge be limited until the road-widening eliminates this hazard. They also suggest a revised internal traffic circulation pattern. The State Highway Administration has proposed alternate access driveway plans. The applicant must obtain the approval of the State Highway Administration for construction of entrances to the new highway.

The Board finds that the proposed use, subject to the approval of the State Highway Administration, will not overburden or have detrimental effect on vehicular or pedestrian traffic.

Sewage:

The subject property has an existing septic system. Applicant contends that this septic system will be more than sufficient to accommodate the lodge's needs. The subject property was previously used as a laboratory for raising experimental animals. Applicant testified that the amount of water and sewage used by the prior owner was far in excess of the requirements of the lodge. There

are two bathrooms in the main lodge building. No kitchen facilities exist in this building at present.

Parking:

Applicant intends to provide parking for approximately 70-75 cars on the property. The parking will be designed to retain the existing shrubbery.

Findings:

The Board finds that the Calverton B.P.O. Elks Lodge is a service organization seeking to obtain by special exception a private clubhouse facility in which to hold its meetings and to accommodate social get-togethers for its members. The Board also finds that the proposed special exception will be consistent with the Master Plan for Fairland-Beltsville; that it will use an existing building; that it will not have a detrimental effect on the use of the surrounding properties; that the proposed use will not, in conjunction with the existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public improvements; that, as conditioned herein, the proposed parking will be adequate for the proposed use, and traffic would not be anticipated to be a hazard in front of the subject property; and that there has been no evidence presented to indicate that the proposed use will adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area.

Accordingly, the requested special exception is granted to the petitioners only, subject, however, to the following conditions:

1. The applicant shall implement its plans as stated in proposals one through six on page three and four of this opinion (excepting proposal #2).
2. The applicant's uses of the buildings shall be limited to those uses proposed on page three of this decision, and that occupancy shall be limited according to the requirements of the Fire Marshal.
3. Construction of any outdoor recreational facilities shall be subject to further approval of this Board.

4. The applicant shall obtain a permit from the Health Department for use of the septic system.
5. The applicant be permitted to hold functions Monday through Saturdays from 11:00 a.m. to midnight and on Sunday from 2:00 p.m. to 10:00 p.m. Major functions shall be held no later than 1:00 a.m.
6. No loud speakers or amplifier sound system shall be allowed outside of the building, and no noise from the lodge shall be audible beyond the applicants' property lines.
7. The applicant's landscaping and lighting plan shall be subject to approval by the Montgomery County Planning Board.
8. The club grounds should be lighted with mushroom-type lights with standards not exceeding 10 feet. Prior to applying for an occupancy permit, the applicant shall submit to the Board of Appeals for approval a lighting plan consistent with the report of the Maryland National Capital Park and Planning Commission (Exhibit No. 15-b) and the instand condition.
9. The applicant shall remove any shrubbery which blocks visibility from its exit to Sandy Spring Road.
10. Until Route 198 improvement is completed the applicant shall provide marshals to conduct traffic to and from the subject site for events where more than 40 members are expected to attend.
11. The location of driveway entrance and exit shall be subject to approval of the State Highway Commission.
12. The applicant shall submit its proposed sign to the Sign Review Board for its approval.
13. Parking shall be allowed only on the applicant's property and not on any of the adjacent roads.
14. That granting of this special exception will be subject to review by the Board one year after grant and each three years thereafter, said review to be initiated by appropriate resolution of the Board.

The Board adopted the following Resolution:

"Be it Resolved by the County Board of Appeals for Montgomery

County, Maryland, that the opinion stated above be adopted as the Resolution required by law as its decision on the above-entitled petition."

The foregoing Resolution was proposed by Mr. Sheldon P. Schuman and concurred in by Mrs. Beverly S. Pearson, Chairman, Mrs. Shirley S. Lynne, Mrs. Marjorie H. Sonnenfeldt and Mr. Joseph E. O'Brien, Jr.

I do hereby certify that the foregoing Minutes were officially entered in the Minute Book of the County Board of Appeals this 16th day of October, 1974.

Dollie M. Lyte
Clerk to the Board

NOTE: See Section 59-6.(c) of the Zoning Ordinance regarding the 12-months' period within which the right granted by the Board must be exercised.

EXHIBIT "N"

Forest Conservation Form



Development Applications and Regulatory Coordination Division

Effective 6/29/2015

M-NCPPC

8787 Georgia Avenue, Silver Spring, MD 20910

301-495-4550, fax: 301-495-1306

Forest Conservation Law Applicability for Conditional Uses/Special Exceptions

Property Information

Address 4343 SANDY SPRING ROAD City BURTONSVILLE
 Subdivision Name N/A Plot(s) N/A Lot(s) N/A Block(s) N/A Tax Map L911 Parcel(s) P277
 Property Tax ID 1 00254623 Property Tax ID 2 Property Tax ID 3 Property Tax ID 4

Applicant (Owner, Contract Purchaser, or Owner's Representative)

Name SANDRA VENTURA Company INSPIRE, LLP
 Street Address 14700 SWEETZER LANE City LAUREL State MD Zip Code 20707
 Phone Number Email Address inspire5@verizon.net

Total Area of Property: 2.97± acres 129,373.2 square feet

Applicant attests that the following statements apply to the subject property conditional use/special exception application:

☒ The application does not propose any clearing or grading activities on or near the conditional use/special exception site. (Requires plan number and M-NCPPC signature below)

OR, all of the following:

- ☐ []
- The application applies to a property of less than 40,000 square feet. (Not subject to Forest Conservation Law; requires M-NCPPC signature below)
 - The property is not subject to a previously approved Forest Conservation Plan.
 - The conditional use/special exception proposal will not impact any champion tree as defined by the Montgomery County Forestry Board.

PLEASE NOTE: If regulated activities occur on the property other than what is being attested to, the exemption immediately terminates without action by the Planning Board. The Planning Director may require the submission and approval of a Natural Resources Inventory/Forest Stand Delineation and a Forest Conservation Plan, and may also issue a fine of up to \$1,000 per day.

Applicant's Signature [Signature]
 Printed Name Sandra Ventura

Date 2/27/18
301-974-1861

For Staff Use Only

M-NCPPC acknowledges that the conditional use/special exception for the above property:

- ☐ Is not subject to the Forest Conservation Law as defined in Chapter 22A of the Montgomery County Code.
- ☒ Is exempt from the Forest Conservation Plan requirements under Section 22A-5(q)(1) of the Forest Conservation Law.

Plan Name: Inspire
 Plan Number: 42019029E

M-NCPPC Signature [Signature]
 Printed Name Parker Smith

Date 2/16/2018

Estes, Phillip

From: Flemming, Jason <Jason.Flemming@montgomerycountymd.gov>
Sent: Thursday, August 09, 2018 1:27 PM
To: Estes, Phillip
Subject: FW: Conditional Use - 4343 Sandy Spring Rd.

Mr. Estes:

I am forwarding the e-mail sent to Ms. Allen that outline the DPS well and septic requirements that must be met to have the conditional use approved. If you need additional information, please let me know.

Jason Flemming, LEHS
Well and Septic Section
240-777-6334

From: Flemming, Jason
Sent: Monday, June 25, 2018 11:04 AM
To: 'Anita Allen' <anita@sillengineering.com>
Cc: Paul Sill <paul@sillengineering.com>; Joanne Carey-Vert <joanne@sillengineering.com>; Rachael Breza <rachaelb@TheTitleCompanies.com>; Beall, Kim <Kim.Beall@montgomerycountymd.gov>
Subject: Conditional Use - 4343 Sandy Spring Rd.

Ms. Allen:

After discussing the project and reviewing the records on file, the well and septic section will find acceptable the proposed conditional use at 4343 Sandy Spring Road once the following are satisfactory completed with the DPS septic inspector:

1. Inspection of the existing septic tank to include as a minimum the verification of the size, structural integrity and water tightness, and properly working inlet and outlet baffles.
2. Verification of a 4-foot treatment zone below the existing drain field. Excavation equipment capable of reaching a depth of at least 18 feet below the surface will be needed to complete this requirement.

Unsatisfactory results will require connection to public sewer system, unless the Montgomery County Department of Environmental Protection considers the public system is not available for the property. No permit is required to complete the above requirements. Please coordinate the inspection and excavation with the area septic inspector, Kim Beall. She can be reached at 240-777-6315 or Kim.Beall@montgomerycountymd.gov.

Sincerely,

Jason L. Flemming, LEHS
Dept. of Permitting Services
Well & Septic Program
255 Rockville Pike, 2nd floor
Rockville, MD 20850
240-777-6334

Do your part, Be septic smart! For more information go to:
<https://www.epa.gov/septic>

CU 18-09
Attachment 6: Site Photos



Figure 1 – View toward front of property from Sandy Spring Road.

CU 18-09
Attachment 6: Site Photos



Figure 2 - View towards the northwest of the front property line.

CU 18-09
Attachment 6: Site Photos



Figure 3 – View from driveway entrance from Sandy Spring Road with vacant dwelling unit in front and lodge building towards the rear.

CU 18-09
Attachment 6: Site Photos



Figure 4 - View towards the northeast of property interior from parking lot towards lodge building and driveway entrance with berm and landscape.



Figure 5 - View of the rear side of the lodge building with parking lot.

CU 18-09
Attachment 6: Site Photos



Figure 6 - Southwest view towards Cedar Tree Drive of the open lawn area with landscaped berm between property and Cedar Tree Drive.

CU 18-09
Attachment 6: Site Photos



Figure 7 - View towards the southeast of the parking lot, landscaped berm, and open lawn area.



Figure 8 - View of northwestern property line with existing landscape.



Figure 9 - View of southwest corner property line with existing landscape.